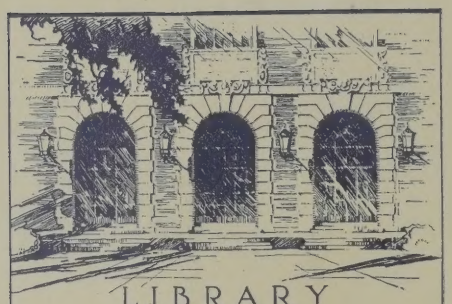

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SENATE

WEDNESDAY, September 14, 1955

The Senate met at 9:00 o'clock, am., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. HAROLD V. MARCH, Pastor of Memorial Evangelical United Brethren Church, Gettysburg, offered the following prayer:

In the Name of the Father and of the Son and of the Holy Spirit.

O praise the Lord, all ye nations; praise Him all ye people, for his merciful kindness is great toward us and the truth of the Lord endureth forever. Lord, make us to be still and know that Thou art God.

O merciful Father in heaven, Who holdest in Thy hand all the might of men and Who hast ordained the powers that be to rule over us, we humbly besearch Thee to graciously regard Thy servants and all those in authority. Grant them wisdom and understanding, that under their peaceable governance Thy people may be guarded and directed in righteousness, quietness and in unity. Protect them, O God of our salvation, that we with them may show forth Thy praise through Jesus Christ, our Lord, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. McGINNIS, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 8, entitled:

An Act authorizing and directing the Department of Highways with the approval of the Governor to erect and maintain a bridge over the Ohio River in Beaver County between a point in the general area of Monaca-Shippingport to the general area of Beaver-Midland on the opposite side of the Ohio River and to provide the necessary approaches and connections with State Highways empowering counties to pay certain damages

Which was committeed to the Committee on Highways.

House Bill No. 400, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" changing the time within which a notice of hearing upon a citation may be issued and the nature of the notice and requiring notice of violation noted by an agent or employe of the board as a prerequisite to the imposition of a penalty suspension or revocation.

Which was committed to the Committee on Law and Order.

House Bill No. 596, entitled:

An Act providing for authorization for autopsies or postmortem examination of human bodies claimed for burial within thirty-six hours after death.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 741, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" making November 11 "Veterans Day" a school holiday

Which was committed to the Committee on Education.

House Bill No. 1079, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance ex-

changes, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further providing for, defining and regulating the issuance of group, blanket and franchise accident and sickness insurance.

Which was committed to the Committee on Insurance.

House Bill No. 1093, entitled:

An Act amending the act of May 29 1945 (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" further regulating the elimination of intersections

Which was committed to the Committee on Highways.

House Bill No. 1104, entitled:

An Act amending the act of April 21 1949 (P. L. 665) entitled "An act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations mposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties" providing for the revision of home rule charters providing for the establishment of a charter revision commission for the purpose of making revisions and imposing duties upon city councils city officers boards of election courts and the Secretary of the Commonwealth

Which was committed to the Committee on Local Government.

House Bill No. 1190, entitled:

An Act providing for the appointment of court clerks and assistant court clerks by the President Judge of the courts of common pleas in counties of the first class

Which was committed to the Committee on Judiciary General.

House Bill No. 1361, entitled:

An Act authorizing the creation of regional planning commissions by counties, cities, boroughs, towns or townships: authorizing interstate participation in regional planning under certain conditions, and conferring powers and imposing duties on regional planning commissions.

Which was committed to the Committee on Local Government.

House Bill No. 1628, entitled:

An Act making a deficiency appropriation to the Department of Public Instruction for payments to school districts on account of rentals payable to municipal authorities and nonprofit corporations.

Which was committed to the Committee on Appropriations.

House Bill No. 1676, entitled:

An Act authorizing townships of the first class in certain cases to convey to a volunteer fire company or association the township's interests in real property upon approval of the court of common pleas of the county

Which was committed to the Committee on Local Government.

House Bill No. 1729, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," providing for the incorporation and regulation of nonprofit dental service corporations furnishing dental services only to certain subscribers and their dependents.

Which was committed to the Committee on Insurance.

House Bill No. 1730, entitled:

An Act providing for the regulation and supervision of nonprofit dental service corporations organized to provide dental services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the dental service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of dental surgery to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations, conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit dental service corporation, from providing dental services on a non-profit plan in return for prepayment, periodical or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act.

Which was committed to the Committee on Insurance.

House Bill No. 1751, entitled:

An Act amending the act of July 28 1953 (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" conferring additional powers and duties on the county planning commission

Which was committed to the Committee on Local Government.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 229 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 229, entitled:

An Act prohibiting certain practices of discrimination because of race color religious creed ancestry or national origin by employers employement agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission defining its functions powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent prejudice providing for judicial review and enforcement and imposing penalties

and has appointed Messrs. TOLL, MORAN and CHARLES C. SMITH as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, September 12, 1955.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, September 19, 1955, at two-thirty o'clock p.m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene on Monday, September 19, 1955, at a time to be fixed by the House of Representatives.

BILL SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 406, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled " An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganizing of certain adminstrative departments boards and commissions defining the powers and duties of the governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and presribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further prescribing the qualifications of members of the State Board of Chiropractic Examiners

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

BILLS INTRODUCED AND REFERRED

Mr. LANE read in his place and presented to the Chair Senate Bill No. 751, entitled:

An Act amending the act of May 22, 1933 (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," postponing for a further period the exclusion of certain items in valuing real estate for taxation.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 752, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "An act realting to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxable making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," postponing for a further period the exclusion of certain terms in valuing real estate for taxation

Which was committed to the Committee on Local Government.

Mr. HAYS read in his place and presented to the Chair Senate Bill No. 753, entitled:

An Act requiring bonds issued by Authorities to be offered for sale at open and competitive biding and specifying the procedure therefor.

Which was committed to the Committee on State Government.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Montgomery, Mr. Propert, to the rostrum to preside.

The PRESIDING OFFICER (Henry J. Propert) in the Chair.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 31, as follows:

An Act reenacting and amending the act of May sixteen one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State

purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" extending its provisions for a further limited period of time changing the definition of net income in certain cases and changing the rate of tax applicable to stock life insurance companies.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act of May sixteen one thousand nine hundred thirty-five (P. L. 208) known as the "Corporate Net Income Tax Act" reenacted and amended July twenty one thousand nine hundred fifty-three (P. L. 534) are reenacted and amended to read

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 [Except as hereinafter provided in the case of stock life insurance company in] In case the entire business of the corporation is transacted within this Commonwealth (a) For any taxable year which begins before the first day of January one thousand nine hundred fifty-four or ends before the sixteenth day of August one thousand nine hundred fifty-four except as hereinafter provided in the case of stock life insurance companies net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal income or excess profits taxes paid after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes during such calendar or fiscal year for the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal income or excess profits taxes paid or accrued shall be an amount which bears the same ratio in the total Federal income or excess profits taxes of the group after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes as the net income of the corporation computed without a deduction for such Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for such Federal taxes And provided further That on reports filed for the calendar year one thousand nine hundred forty-three for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That on reports filed for the calendar year one thousand nine hundred forty-six or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for net operating loses sustained by the corporation during any other fiscal or calendar year nor shall any net operating loss sustained by the corporation during the calender year one thousand nine hundred forty-six or during any fiscal year beginning in such calendar year or in any calendar or fiscal year thereafter be allowed as a deduction for any prior calendar or fiscal year And provided further That in the case of stock life insurance companies "net income" shall be the adjusted normal tax net income as returned to and ascertained by the Federal Government And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends pair to policyholders out of net income

(b) For any taxable year beginning after the thirty-first day of December one thousand nine hundred fifty-three and ending after the fifteenth day of August one thousand nine hundred fifty-four except as hereinafter provided in the case of stock life insurance companies taxable income for the calendar year or fiscal years as returned to and ascertained by the federal government or in the case of a corporation participating in the filing of consolidated returns to the federal government the taxable income which would have been returned to and ascertained by the federal government if separate returns had been made to the federal government for the current and prior taxable years subject however to any corrections thereof for fraud evasion or error as finally ascertained by the federal government provided that additional deductions shall be allowed from taxable income on account of dividends received from any other corporation but only to the extent that such dividends are included in taxable income as returned to and ascertained by the federal government and provided further that no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year and providing further that in the case of stock life insurance companies "net income" for taxable years beginning in one thousand nine hundred fifty-four shall be one thousand nine hundred fifty-four life insurance company taxable income as returned to and ascertained by the federal government and for taxable years beginning in one thousand nine hundred fifty-five and thereafter shall be life insurance company taxable income as returned to and ascertained by the federal government and provided further that in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policy holders out of net income

2 In case the entire business of any corporation other

than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or affected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conduced at such place of business in another state In the case of construction contracts negotiated or affected at an office in the state of Pennsylvania but performed outside the state the gross receipts under such contracts shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total incurred thereunder for the taxable year In the case of construction contracts negotiated or affected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In the case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its business "Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-five except where

a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum per annum upon each dollar of the net income of such corporation during the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-department as required by section four of this act in which two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-nine and one thousand nine hundred fifty and a similar tax at the rate of five per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hudred fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred fifty-three and a similar tax at the rate of five per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the case such tax at the rate of five per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven And provided further That in the case of stock life insurance companies the rate shall be one-half of one per centum per annum on each dollar of the net income of such corporations received by and accruing to such corporations during the calendar years one thousand nine hundred fifty-three and one thousand nine hundred fifty-four and one thousand nine hundred fifty-five except where such a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case the rate shall be one-half of one per centum per annum on net income received by and accruing to such corporations during the fiscal years commencing in the calendar years one thousand nine hundred fifty-three and one thousand nine hundred fifty-four [and one thousand nine hundred fifty-five]

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three one thousand nine hundred fifty-four one thousand nine hundred fifty-five [and] one thousand nine hundred fifty-six one thousand nine hundred fifty-seven and one thousand nine hundred fifty-eight to transmit to the department upon a form prescribed prepared and furnished by the department an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

(2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

(3) Such other information as the department may require

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable years one thousand nine hundred fifty-three one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven it shall be the duty of every corporation liable to pay tax under this act on or before the thirtieth day of April one thousand nine hundred fifty-three one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the

calendar or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable years one thousand nine hundred fifty-three one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven every corporation upon the date its tentative report is required herein to be made shall pay an account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act The tentative report required of such corporation shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars ($5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayers at any subsequent proceeding as though it had been filed with such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

(d) The provisions of this section shall not be constructed so as to permit a resettlement based upon the allowance of any deduction on account of net operating losses sustained in other fiscal or calendar years that are not allowed as deductions under the definition of "Net Income" as contained in section two of this act

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the

department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall crdit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and rerords and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted has such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the calendar years one thousand nine hundred thirty-five one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven or for the fiscal years ending in the calendar years one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three one thousand nine hundred fifty-four one thousand nine hundred fifty-five [and] one thousand nine hundred fifty-six one thou-

sand nine hundred fifty-seven and one thousand nine hundred fifty-eight

Section 2 This reenacting and amending act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming.			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 32, as follows:

An Act reenacting and amending the act of August twenty-fourth one thousand nine hundred fifty-one (P. L. 1417) entitled as amended "An act to provide revenue for State purpose by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock asociations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" extending its provisions for a further limited period of time and changing the definition of net income in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act of August twenty-four one thousand nine hundred fifty-one (P. L. 1417) known as the "Corporation Income Tax Law" reenacted and amended July seventeenth one thousand nine hundred fifty-three (P. L. 482) are reenacted and amended to read

An Act to provide revenue for State purposes by imposing a property tax for a limited periid of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock asociations ans limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock asociations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title This act shall be known and may be cited as the "Corporation Income Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include non-profit corporations building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies foreign stock companies registered in this Commonwealth and therein engaged in doing busines as life fire and casualty insurance companies and foreign surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 [Net] (a) For any taxable year which begins before the first day of January one thousand nine hundred fifty-four or ends before the sixteenth day of August one thousand nine hundred fifty-four net income for the calendar year or fiscal years as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filling of consolidated returns of the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject to however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government provided That additional deductions shall be allowed from net income on account of any dividends received from any other corporation And provided further That no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year And provided further That in the case of stock life fire casualty and indemnity insurance companies operating on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

(b) For any taxable year beginning after the thirty-first day of December one thousand nine hundred fifthy-three and ending after the fifteenth day of August one thousand nine hundred fifty-four taxable income for the calendar year fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the taxable income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any corrections thereof for fraud evasion or error as finally ascertained by the Federal Government provided that additional deductions shall be allowed from taxable income on account of dividends received from any other corporation but only to the extent that such dividends are included in taxable income as returned to and ascertained by the Federal Government and provided further that no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year and provided further that in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policy holders out of net income

2 In the case of corporations owning property or carrying on activities within and without this Commonwealth other than corporations carrying on activities as insurance or surety companies the net income of such corporations derived from sources within this Commonwealth for the

fiscal or calendar year shall be determined by allocations and apportionments of net income as defined in clause one hereof made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate on tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part of this Commonwealth

(c) The resultant net income if any after allocations shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from property and activities assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its property and activities

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from property and activities carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes to the extent of services rendered or work performed in the Commonwealth and similar expenditures to employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from property and activities assignable to the Commonwealth shall be (1) the amount of its gross receipts for the taxable year from services rendered work and contracts performed and sales made in the Commonwealth and all other gross receipts except those negotiated or affected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interests except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from property and activities assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the State but performed in the State the gross receipts under such contracts shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In the case of corporations carrying on activities as insurance or surety companies within and without this Commonwealth the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by multiplying net income as defined in clause one hereof by a fraction of which the numerator is the gross premiums received from activities carried on within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its activities everywhere

"Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and dsecription received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premium returned to the policyholders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from activities carried on in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Sources within this Commonwealth" includes tangible or intangible property located or having a situs in this Commonwealth and any activities carried on in this Commonwealth regardless of whether carried on in intrastate interstate or foreign commerce

"Carrying on activities' shall include every pact power or privilege exercised or enjoyed in this Commonwealth as an incident to or by virtue of the powers and priveleges acquired by the nature of the corporate organization

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation carrying

on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership joint-stock association or corporation shall be subject to and shall pay a State property tax on net income derived from sources within this Commonwealth at the rate of five per centum per annum upon each dollar of such net income received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hudred fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon each dollar of such net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred fifty-three and ending in the calendar years one thousand nine hundred fifty-two one thousand nine hundred fifty-three and one thousand nine hundred fifty four and a similar tax at the rate of five per centum per annum upon each dollar of such net income received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum per annum shall be levied collected and paid upon each dollar of such net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven and ending in the calendar years one thousand nine hundred fifty-five [and] one thousand nine hundred fifty-six one thousand nine hundred fifty-seven and one thousand nine hundred fifty-eight Provided however That such net income shall not include income for any period for which the corporation is subject to taxation under the Corporate Net Income Tax Act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) as reenacted and amended according to or measured by net income

Except as otherwise provided in this section the tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred fifty-two one thousand nine hundred fifty-three one thousand nine hundred fifty-four one thousand nine hundred fifty-five [and] one thousand nine hundred fifty-six one thousand nine hundred fifty-seven and one thousand nine hundred fifty-eight to transmit to the department upon a form prescribed prepared and furnished by the department an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portion of said terms as the department may designate

(2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

(3) Such other information as the department may require

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable years one thousand nine hundred fifty-three one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven it shall be the duty of every corporation liable to pay tax under this act on or before the thirteenth day of April one thousand nine hundred fifty-three one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calendar or fiscal year next preceeding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable years one thousand nine hundred fifty-three one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon

the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act The tentative report required of such corporations shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars ($5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceedings as though it had been filed with such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of the year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall crdit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not

less than one hundred dollars ($100.00) or more than one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations derived from sources within the Commonwealth for the calendar years one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three one thousand nine hundred fifty-four [and] one thousand nine hundred fifty-five one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven or for the fiscal years ending in the calendar years one thousand nine hundred fifty-two one thousand nine hundred fifty-three one thousand nine hundred fifty-four one thousand nine hundred fifty-five [and] one thousand nine hundred fifty six one thousand nine hundred fifty-seven and one thousand nine hundred fifty-eight

Section 2 This reenacting and amending act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 37, as follows:

An Act amending the act of June one one thousand eight hundred and eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 23 act of June one one thousand eight hundred and eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" amended July twenty-seven one thousand nine hundred and fifty-three (P. L. 646) is amended to read

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company and every other company association joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every copartnership person or persons owning operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership person or persons any railroad pipe line conduit steamboat canal slack water navigation or other device for the transportation of freight passengers baggage or oil except taxicabs motor buses and motor omnibuses and every limited partnership association joint-stock association corporation or company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company electric light company water-power company hydro-electric company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of the Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association joint-stock association copartnership person or persons engaged in telephone telegraph express electric light and power water-power hydro-electric palace car

or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of fourteen mills for six months' periods ending June Thirtieth one thousand nine hundred thirty-five December thirty-first one thousand nine hundred thirty-five and June thirtieth one thousand nine hundred thirty-six and twenty mills for the six months' period ending December thirty-first one thousand nine hundred thirty-six June thirtieth and December thirty-first one thousand nine hundred thirty-seven June thirtieth and December thirty-first one thousand nine rundred thirty-eight June thirtieth and December thirty-first one thousand nine hundred thirty-nine June thirtieth and December thirty-first one thousand nine hundred forty June thirtieth and December thirty-first one thousand nine hundred forty-one June thirtieth and December thirty-first one thousand nine hundred forty-two June thirtieth and December thirty-first one thousand nine hundred forty-three and fourteen mills for the six months' periods ending June thirtieth and December thirty-first one thousand nine hundred forty-four and for the twelve months' periods ending December thirty-first one thousand nine hundred forty-five December thirty-first one thousand nine hundred forty-six December thirty-first one thousand nine hunded forty-seven December thirty-first one thousand nine hundred forty-eight December thirty-first one thousand nine hundred forty-nine December thirty-first one thousand nine hundred fifty December thirty-first one thousand nine hundred fifty-one December thirty-first one thousand nine hundred fifty-two December thirty-first one thousand nine hundred fifty-three [and] December thirty-first one thousand nine hundred fifty-four December thirty-first one thousand nine hundred fifty-five and December thirty-first one thousand nine hundred fifty-six and eight mills thereafter upon each dollar of the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons received from passengers baggage and freight transported wholly within this State fom telegraph or telephone messages transmitted wholly within this State from express palace car or sleeping car business done wholly within this State or from the sales of electric energy except gross receipts derived from sales for resale of electric energy to persons partnerships associations corporations or political subdivisions subject to the tax imposed by this act upon gross receipts derived from such resale and from the transportation of oil done wholly within this State The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company copartnership limited partnership association joint-stock association or corporation or person or persons to transmit to the Department of Revenue on or before the first day of February of each year a statement and under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within this State during the period of twelve months immediately preceding the first day of January of each year The time for filing reports may be extended estimated settlements may be made by the Department of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be apportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships persons or person in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint-stock association limited partnership person or persons operating the works and upon payment by the said company corporation copartnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint-stock association limited partnership person or persons for the use of said works

This act shall be construed to apply to municipalities and to impose a tax upon the gross receipts derived from any municipality owned and operated public utility or from any public utility service furnished by any municipality to the extent of such gross receipts as are derived from business done outside the limits of the municipality operating the public utility service

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 38, as follows:

An Act amending the act of June first one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of act of June first one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" amended July seventeenth one thousand nine hundred fifty-three (P. L. 495) is amended to read

Section 21 (a) That every domestic corporation other than corporations of the first class non-profit corporations

and cooperative agricultural associations not having capital stock and not conducted for profit and every joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section Provided That the tax of five mills imposed by this subsection on reports filed for the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six or for the fiscal years beginning in the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six shall apply to the taxation of capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors Provided further That after said [eight] ten year period the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State excepting companies engaged in the distilling of liquors and such as enjoy and exercise the right of eminent domain but every corporation limited partnership or joint-stock asociation organized for the purpose of manufacturing shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to the manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business

(b) Every foreign corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a franchise tax at the rate of five mills upon a taxable value to be determined in the following manner The actual value of its whole capital stock of all kinds including common special and preferred shall be ascertained in the manner prescribed in the twentieth section of this act and shall then be divided into three equal parts

(1) Of one third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the value of the taxpayer's tangible property not actually and exclusively used in manufacturing situated within the Commonwealth and whose denominator is the value of all the taxpayer's tangible property wherever situated

(2) Of another third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the expenditures of the taxpayer for wages salaries commissions or other compensation to its employes not exclusively engaged in manufacturing in this Commonwealth and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the taxpayer for wages salaries commissions or other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business not strictly incident or appurtenant to manufacturing in this Commonwealth assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

The sum of the amounts determined in accordance with the foregoing three rules shall be the taxable value In a case where only two of the forgoing three rules are applicable the remaining third equal part of the value of the entire capital stock shall be divided into two equal parts each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable that part of the entire capital stock attributed to business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the taxpayers for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth

The amount of the taxpayer's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the taxpayer by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth and except rents and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a taxpayer maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the Department of Revenue shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the taxpayer to the business conducted at such place of business in another state

In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the State but performed in the State the gross receipts under such contract shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total cost incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible or other compensation or the gross receipts of the taxpayer are found to be situated incurred or received without the Commonwealth

Notwithstanding the foregoing provisions of this subsection (b) the franchise tax of five mills imposed by subsection (b) on reports filed for the calendar years one thousand nine hundred forty-seven one thousand nine

hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six and for fiscal years beginning in the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three [and] one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors without excluding from the numerators of the applicable fractions tangible property actually and exclusively used in manufacturing compensation of employes exclusively engaged in manufacturing and gross receipts from business strictly incident or appurtenant to manufacturing

After said [eight] ten year period the provisions of this subsection shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes

(c) It shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within the time prescribed by law Provided That for the purposes of this act interest in limited partnership or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided further That corporations limited partnerships and joint-stock associations liable to a tax under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals Provided further That the tax on five mills imposed by this section on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each calendar year thereafter or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each fiscal year thereafter shall apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering and for the processing and curing of meats their products and by products excepting companies engaged in the distilling of liquors Provided further That in case of fire and marine insurance companies the tax imposed by this section shall be at the rate of five mills upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

Section 2 The provisions of this act shall be retroactive to the first day of January one thousand nine hundred fifty-five so that domestic and foreign corporations limited partnerships and joint-stock associations organized for manufacturing purposes shall pay the tax imposed for the calendar years one thousand nine hundred fifty-five and one thousand nine hundred fifty-six or for the fiscal years beginning in the calendar years one thousand nine hundred fifty-five and one thousand nine hundred fifty-six as other domestic and foreign corporations limited partnerships and joint-stock associations

Section 3 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 643, as follows:

An Act amending the act of June 24 1939 (P. L. 872) entitled "An act to conslidate amend and revise the penal laws of the Commonwealth" prohibiting budget planning business and prescribing penalties for violation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of June 24 1939 (P L 872) known as "The Penal Code" is amended by adding after section 896 a new section to read

Section 897 Budget Planning Business (a) "Budget Planning" as used in this section means the making of a contract express or implied with a particular debtor whereby the debtor agrees to pay a certain amount of money periodically to the person engaged in the budget planning business who shall for a consideration distribute the same among certain specified creditors in accordance with a plan agreed upon

(b) Whoever engages in the business of budget planning is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or undergo imprisonment of not more than one (1) year or both provided that the provisions of this act shall not apply to those situations involving budget planning as herein defined incurred incidentally in the practice of law in the Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,

Chapman,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 921, as follows:

An Act amending the act of March 10 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing school directors to invest certain funds in legal investments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section 216 act of March 10 1949 (P L 30) known as the "Public School Code of 1949" is amended to read

Section 216 Gifts to Districts Investment Accounts

* * *

(b) The board of school directors shall promptly invest and keep invested as constantly as possible and to the best advantage any devise bequest grant endowment gift or donation accepted and the proceeds thereof Such investment may be made [only in bonds legally and properly issued by a school district in this Comomnwealth or in municipal bonds in which savings banks of Pennsylvania are authorized by law to invest their deposits Except in school districts of the first class all investments must be first approved by the president judge of the court of common pleas of the judicial district in which such school district is situated] in obligations declared to be legal investments in the act of May 26 1949 (P L 1828) known as the "Fiduciaries Investment Act of 1949"

* * *

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 922, as follows:

An Act amending the act of March 10 1949 (P L 30) entitled "An act relating to the public shool system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" removing the requirement that auctions be conducted by licensed auctioneers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (1) of section 707 act of March 10 1949 (P L 30) known as the "Public School Code of 1949" is amended to read

Section 707 Sale of Unused and Unnecessary Lands and Buildings The board of school directors of any district is hereby vested with the necessary power and authority to sell unused and unnecessary lands and buildings by any of the following methods and subject to the following provisions

(1) By public auction [conducted by a licensed auctioneer] either on the premises to be sold or at places selected by the school board after due notice by publication in one or more newspapers of general circulation published within the county or the school district and in the legal newspaper in said county if any once a week for three sucessive weeks before the date fixed for said sales and by hand bills one or more of which must be posted on the property proposed to be sold and at least five of which must be posted at conspicuous places within the vicinity of said real estate Terms and conditions of sale shall be fixed by the board in the motion or resolution authorizing the sale

* * *

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Madigan,	Peelor,	Watkins,
Dent,	Kopriver, Jr.,	Ruth,	Watson,
Derk,	Lane,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1278, as follows:

An Act amending the act of March 10 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing school districts of the first class to dedicate sell donate convey or lease real estate to the city comprising the district for any purpose with or without consideration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XXI act of March 10 1949 (P L 30) known as the "Public School Code of 1949" is amended by adding after section 2131 thereof a new section to read

Section 2132 Transfers of Real Estate Notwithstanding the provisions of section 707 of this act the board of public education in each school district of the first class may dedicate sell donate convey or lease to the city comprising the district any real estate owned by it for any lawful purpose upon such terms with or without consideration as it may determine

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, House Bill No. 1339 was amended yesterday. I do not know what the amendments were, and I have been unable to find on my desk or in my file a copy of the amended bill.

Therefore, Mr. President, I ask unanimous consent that House Bill No. 1339, Printer's No. 919, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1355, as follows:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further defining the circumstances under which the approval of the Department of Public Instruction is required for construction or repairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 731 act of March 10 1949 (P. L. 30) known as the "Public School Code of 1949" amended July 27 1953 (P. L. 629) is amended to read

Section 731 Approval by Department of Plans etc of Buildings Exceptions No public school building shall be contracted for constructed or reconstructed in any school district of the second third or fourth class until the plans and specifications therefore have been approved by the Department of Public Instruction When ordinary repairs are proposed such as plastering painting replacement of floors improvement of school grounds repairing or providing walks roadways or retaining walls the cost of which in districts of the second class will not exceed [one thousand dollars ($1000)] two thousand dollars ($2000) or in districts of the third and fourth class will not exceed [five hundred dollars ($500)] one thousand five hundred dollars ($1500) no approval shall be required Where any structural change is involved such as moving or adding doors windows partitions making additions or any excavations on any work which may affect the safety or health of the pupils or any work which comes under the jurisdiction of another department of the Commonwealth approval of the Department of Public Instruction shall be required regardless of the cost of such structural change

Section 2 Subsection (b) of section 751 of the act amended May 24 1951 (P. L. 397) is amended to read

Section 751 Work to be Done Under Contract Let on Bids Exception * * *

(b) The board of school directors in any school district either may perform any construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is less than [one thousand dollars ($1000)] two thousand dollars ($2000) by its own maintenance personnel or may have any such construction reconstruction repairs or work performed by contract after soliciting bids from at least three responsible bidders Provided That the board of school directors in any school district may authorize the secretary of the board or other executive to award contracts for construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is [three hundred dollars ($300)] five hundred dollars ($500) or less without soliciting competitive bids

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Harney,	McMenamin,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1375, as follows:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for

the compensation of certified public accountants employed by school districts of the fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2443 act of March 10 1949 (P. L. 30) known as the "Public School Code of 1949" amended April 26 1949 (P. L. 760) is amended to read

Section 2443 Compensation of Auditors The auditors herein required to audit the accounts of a school district of the fourth class shall be allowed for their services six dollars ($6) per day for each day necessarily spent by each of them in the performance of his duty which together with the cost of advertising their report shall be paid by the school district The compensation of any certified public accountant employed by a school district of the fourth class to audit the finances of the school district shall be fixed by the directors of the district and paid by the district

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR
BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 162, Printer's No. 90, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 165, entitled:

An Act amending the act of June 30 1947 (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" changing the method of selecting panels for the adjustment of grievances of certain school district employes and imposing additional duties on such panels.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOLLAND offered the following amendment:

Amend Sec. 1 (Sec. 1), page 6, lines 5 and 6, by striking out all of said lines and inserting in lieu thereof: "wealth, the school board or Board of Public Education at the request of the employes shall set up a panel of three members one to be selected:"

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading as amended?

BILL OVER IN ORDER

Mr. HOLLAND. Mr. President, I ask unanimous consent that Senate Bill No. 165, Printer's No. 238, on second reading, go over in its order, as amended.

The PRESIDENT OFFICER. Is there objection? The Chair hears none.

REMAINING BILLS ON SECOND READING CALENDAR OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following remaining bills, on second reading, go over in their order:

Senate Bill No. 215, Printer's No. 243;
House Bill No. 340, Printer's No. 859;
Senate Bill No. 486, Printer's No. 249;
House Bill No. 620, Printer's No. 918;
Senate Bill No. 648, Printer's No. 225;
Senate Bill No. 649, Printer's No. 226;
Senate Bill No. 652, Printer's No. 250;
House Bill No. 699, Printer's No. 524;
Senate Bill No. 721, Printer's No. 251;
Senate Bill No. 723, Printer's No. 240;
Senate Bill No. 724, Printer's No. 241;
House Bill No. 973, Printer's No. 265; and
House Bill No. 1435, Printer's No. 399.

The PRESIDING OFFICER. Is there objection? The Chiar hears none.

BILL INTRODUCED AND REFERRED

Mr. YOSKO. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. YOSKO read in place and presented to the Chair Senate Bill No. 754, entitled:

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof; including the power to finance the construction of additional bridges

by the issuance of revenue bonds to be redeemed from revenues derived from tolls collcted at such bridges, transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as heretofore amended and supplemented; authorizing the Governor of either State to vote the action of any commissioner from his State requiring express authorization by the two states for the construction or acquisition of any additional bridge or port and terminal facility, and the administration, operation and maintenance thereof; and authorizing the Governor to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent to such supplemental compact or agreement.

Which was committed to the Committee on State Government.

PERSONAL PRIVILEGE

Mr. MAHANY. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Crawford, Mr. Mahany, will state his question of personal privilege.

Mr. MAHANY. Mr. President, I understand that last evening on a television program entitled "Capitol Correspondents," which originates in Harrisburg, one of my colleagues who I thought, up until today, was a fairly good personal friend of mine, Senator Yosko, saw fit to term Senator Kessler and me as cowards and fakers. I think that any Senator who resorts to name-calling on television or radio of a colleague in this Senate certainly should be called to task about it.

I understand that the reason Senator Yosko saw fit to call Senator Kessler and me cowards was because he said we ran out on him yesterday before he got a chance to ask us some questions. Yesterday, we had completed the order of business of the day up until Announcements by the Secretary, as I remember it, and I had some appointments down in my office, and I did not think there was anything further coming up in the Senate. I left to go down to my office to fill the appointments. I think Senator Kessler had some other business to which he had to attend at that point in the order of business of the day.

Senator Yosko had talked probably longer than any other Senator on the floor yesterday, and if he had anything to ask of me or Senator Kessler, certainly he had plenty of opportunity to do so when he was on his feet talking to us yesterday. Surely, if what he had to ask was in relation to anything about the cut in the budget which we are recommending for the Department of Public Instruction, we told him the day before that we were not going to give him that breakdown of information about that particular cut in the budget because we thought, at this time, it was premature. We told him that we were going to wait until such time as the House passed the appropriation bills and got them over to the Senate. Then we were going to go into detail about the cuts in the budget of these various departments which we were recommending. Therefore, I told Senator Yosko on that day that if he were going to ask the same question again, I was going to refuse to answer because I felt that any information at this time about that particular subject was premature. To save us all time, there was no use for Senator Yosko to ask the question again. Therefore, I thought that he understood that, and I did not think he was going to ask any more questions yesterday because, as I said, he did sit down after he had made a long speech and we had almost completed the business of the day when I left my stand here and turned the duties of Majority Floor Leader over to the Assistant-Floor-Leader, Senator Pechan.

Why Senator Yosko, whom I always considered to be a good personal friend, would see fit to call me names, over the television, which I do not think were justified, and certainly names I have never been called in all my life up until last night, coward and faker, I certainly resent it, and I want to tell Senator Yosko that I feel quite badly that he saw fit to call me those names. I feel that he owes on apology to both Senator Kessler and myself, and certainly I cannot stand still and allow myself to be called such opprobrious names over television when I do not think the Senator was justified in any way in resorting to such tactics.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I do not know whether Senator Mahany heard the television broadcast last night or whether he did not hear it. I do not know whether he is making his statements this morning on the basis of hearsay or whether it is on the basis of the manner in which they prepared the figures recommending budget cuts.

Mr. President, I resent his statement to the effect that I called him or anybody else a coward on the program last night, and I now ask him to withdraw his statement in so far as it applies to that portion of it. I did not call him or anybody else in this Senate a coward. I did say that I had asked for a breakdown of the fiugres and those who were in a position to give them, or should be because they compiled the proposed budget reductions, left the floor, and I named Senator Mahany, I named Senator Kessler and probably one of two others, I am not sure. However, I called nobody in this Senate a name.

I think I conducted myself on that television broadcast last night as a gentleman, as I always do. I do not resort to name-calling and I did not resort to it last night. I again ask that Senator Mahany retract those statements from the record.

Mr. President, I do not know whether the television station made a recording of what I said last night. If they did, I will have them come down here and play it. I see two of the interrogators sitting over here, and they tell me just by their motions, the shake of their head, that I did not call Senator Mahany or Senator Kessler or anybody else a coward. I repeat, I resent the accusation.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I tried to tune in that television program myself last night, but we were unable to get it.

Mr. President, I will say this to Senator Yosko, that the information about what he said was given to me by a person who saw the television program. Now if he was wrong, then certainly I was wrong in stating that Senator Yosko called us those names. I got that second-handed, Senator. I did not hear the program, but I did get it from someone who did hear it.

Now they have made a recording, and I am going to listen to the recording of it, and if those names were not called by you then, of course, I will withdraw anything I said about that. However, you said you did not call us cowards, but did you call us a fake, Senator?

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. I said here on the floor yesterday that the figures were a fake. I say that they are a fake now unless you can substantiate them.

Since you are here I will ask you now, will you give us a breakdown of the total figure of $33,000,000 recommended as a budget reduction for the Department of Public Instruction?

The PRESIDING OFFICER. Does the gentleman wish to interrogate Senator Mahany?

Mr. YOSKO. Yes, Mr. President.

INTERROGATION

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. Yes, Mr. President.

Mr. YOSKO. Senator Mahany, can you give us a breakdown of the total figure of $33,000,000 recommended as a budget reduction for the Department of Public Instruction?

Mr. MAHANY. Senator, I told you a couple of days ago that any information which we would now get relative to the breakdown of the budget cuts, other than the total amounts which we had suggested, was premature. We said that we would give a breakdown when the appropriation bills came to us. At that time we will study them, we will consider them and we think that we will probably be able to justify a cut in the appropriation of $31,000,000 to the Department of Public Instruction.

That is the way it has always been done before, Senator. You have been here several Sessions previous to this one and you know that the appropriation bills are initiated in the House and they come to the Senate. When the Senate gets them, that is when we go into the budget requests, and that is when we cut the budget if we feel the budget is too high. We did that I know. We spent a lot of time on that in the Senate in 1951 and again in 1953. As I remember it, we, in the Republican Caucus, spent hours with a blackboard down in our Caucus putting on the figures of the budget and trying to cut down here and there on every one of those items. We also took estimated receipts from the various taxes which we were enacting and we were trying to find out whether or not those might be raised.

Mr. President, if you will pardon me, I would like to perhaps deviate just a bit here by bringing in the name of a constituent of mine who is now Secretary of Property and Supplies, a fellow by the name of William Thomas, who comes from Sharon. I see by the papers that he has stated that the Republicans were in power for a long number of years, and if they were ready to slash budgets, why have they not done it up until now? I want to tell that constituent of mine, Mr. Thomas, that if he had been down here and working as we have during the past Sessions, instead of running his little flower shop up in Sharon, he would know that we have always done that.

This budget request of Governor Leader is far beyond the budget request of any Governor that we have ever had here in Harrisburg. Certainly we have cut the Republican Governor's requests and we figure that we can cut the Democratic Governor's request. We want to justify those cuts and we feel that we can justify them to you, Senator, when, as and if the time comes. If we cannot produce like we say we can, then I say to you that that is the time for you to look down your nose at us and say that we were faking a bit. That is the time for you to decide and not now, Senator.

Last year, Mr. President, if I might bring this in, your candidate for Governor, George Leader, was going over the State telling everybody that he was going to balance the budget without very many more new taxes, and that he was going to make it up through economies.

Mr. YOSKO. Mr. President, if the Majority Leader wants to make a speech, let him make a speech, but he is supposed to be answering a question and the answer was not responsive to the question. Now he has gone into a half a dozen details.

Mr. President, as I said before, and I said it yesterday, if he wants to debate any phase of the budget or any other question which comes before this Senate, I will be glad to accommodate him. However, right now the question is, do you or do you not have a breakdown of the total figures which you submitted as budget reductions? You arrived at those total figures some way. You either pulled them out of the air, or you guessed them or they are a fake. It is one of the three. If they were presented to you and you did not compute those totals, then I will say to you, as a friend that they made a fall guy out of you. If you will take a look at the statement which was issued, it was issued in your name and your name only, and you are too nice a fellow to be made a fall guy out of. I say that in all sincerity.

I just do not belive in getting figures together, suggesting budget cuts without foundation. Apparently you did it for no other purpose than for window dressing. You did it to try to make an impression on the public. Now we are calling on you to substantiate those figures and tell us in which part of the Department of Public Instruction budget, and there are many parts in it, that that total figure is applicable either in lump sum or in itemized form. If you cannot do it, just say we cannot do it at this time and that will end it.

Mr. MAHANY. Senator, we can do it at this time, but we do not choose to. I have told you in every sign but

Indian smoke signals that we are not going to give you that information now. We do have the information; it was properly compiled. At the time when these appropriation bills come over from the House, if we cannot show you where those cuts can be made, then I say to you that you will be in order to say that I was wrong and that I got myself too far out on the limb. I got myself out on the limb figuring that the people who gave me that information, along with my own studies, would justify this cut. If that limb is going to be sawed off by somebody, then I will appreciate your sympathy. In the meantime I hope that you will be patient, and that you will allow us to give you this information at the proper time.

Mr. YOSKO. All right, I will accept that on the assumption that, as of right now, you do not have the breakdown, and because you do not have it you do not want to give it.

Let me just say one more thing, Senator, since you were not here yesterday when I made my remarks. In one of the paragraphs in your statement you said that even with the budget cuts which you recommended, every department involved will get more money than they spent during the last biennium. That is an untruth and I will prove it to you.

Also, I reiterate today what I said yesterday. The Governor, when you presented those figures and your statement to him, which you also gave to the press and which was publicized all over Pennsylvania, said that you were intelliectually dishonest. I am assuming that you are an intellectual person. I am assuming that you are an intelligent person. I think the two words are synonymous, if that is the proper way to put it, and since you made a false statement that is what you were intellectually dishonest. Take my advice, I am your friend, and do not take figures from other people and make statements in connection with them which you cannot substantiate, because you just put yourself out on a limb, as you said you were out on a limb. In this Chamber you cannot do that and get away with it.

Mr. MAHANY. Senator, I appreciate your kindness in trying to counsel me, but I am willing to stand by the statement which I made. I think that every department did get more money with the exception of the Department of Revenue. The reason the Department of Revenue did not get quite as much money under this budget as they did in the preceding budget is because in the preceding budget the Department of Revenue, of course, had millions of dollars put in for the purpose of collecting the sales tax. Inasmuch as the sales tax expired, that expense was not put in the Department of Revenue.

Now if some other tax is passed by the House and Senate and signed by the Governor, which the Department of Revenue will collect, then we will have to add to the Department of Revenue budget whatever amount will be necessary to collect that tax.

Therefore, Mr. President, I think my statement to the Governor, and to the press, was certainly not intellectualley dishonest. I appreciate the Governor and you, Senator, giving me the benefit of the doubt by saying that I am intelligent, but when you add to it the word "dishonest", I resent it. I try to be honest not only here, Senator, but oustide in my practice, and with my relations with my fellowman. You have known me over a good many years, and I do not believe that you can say that I have been dishonest in anything that I have ever done.

Senator, if you will just wait until such time as this matter come before us in the form of these appropriation bills, then if we cannot justify our figures I will say to you that we have made a mistake. It will not be one of those dishonest mistakes; it will be a mistake which perhaps will come from the head and not from the heart, but I do not believe that we made a mistake and I am not going to anticipate that we did. I am still sticking with the figures which were given to me and I expect to justify them.

Mr. YOSKO. There are other departments involved besides Revenue, but we will not go into that now. We will go into that when we come back. I am just telling you that there are more departments than the Revenue Department involved in your statement.

Please, when you prepare figures, Senator, do not prepare them and issue statements on the basis of something that is going to happen in the future. It may happen and it may not happen Do not prepare figures and statements on what you think, because figures are not based on what you think. They are based on what they are. You know there is an old saying, "Figures do not lie, but liars make figures," and it is on that basis, if you cannot substantiate them, that you have to construe the thing. I am not calling anybody a liar but, as of this moment, as of this moment, unless you can substantiate those figures in a breakdown, department by department, I have to say again that they are a fake, and they were just pulled from the air and they are not something which you can rely on. They were prepared for window dressing and to try to convince the public that the budget was padded, and that you and some others want to reduce it but there is no substantiation for it.

Mr. MAHANY. I want to say this to the Senator. He knows that just about every figure in the budget is more or less of an estimate, not only in the amounts to be expended but also in the amounts to be received. How can anybody with any certainty, for instance, figure out exactly how much is going to be produced by the inheritance tax? We do not know how many people are going to die in Pennsylvania and we do not know how much money they are going to have when they do die. That is one thing which we have to guess at. Just about every item which the Budget Director computes relative to estimated receipts in Pennsylvania for the next biennium is an estimate, a guess.

For instance, since he estimated the amount that will be produced by the corporate net income tax, we have had a strike at Westinghouse. How much affect is the Westinghouse strike going to have on our revenue? Why, Senator Yosko does not know and cannot know, and perhaps the Budget Director would not be able to tell exactly. These things are all estimates. We do not know exactly how much will be needed by the Department of Public Assistance because we do not know how many people will be on assistance in the next two years. So, all of these figures, Senator, are estimates or, as you might say, guesses.

In trying to compute the budget, we cannot get as exact as you would when you add two and two together

and make four. They are estimates and we feel that your estimates of receipts are too low and the estimates which you feel will be needed to finance the buduget, or the budget needs, are too high. You say to us that our estimates of the revenue are too high and you cannot get along on the amount that we figure you would need for the budget requests. Therefore, what we are doing is to have a third party come in as a kind of mediator; that is; the Pennsylvania Economy League. Both the Democrats and the Republicans, along with the Governor, have agreed that the Pennsylvania Economy League may produce figures to show which side may be wrong, and, if so, how far wrong we are. That meeting will take place next Monday morning. After that, I expect to have much more information than what I have now.

Mr. YOSKO. Senator Mahany, you are going into a different phase of it now. You are going into the anticipated receipts. I wish you would have been here the day the Department of Revenue appeared before the Democratic Budget Committee. We went into that very thoroughly. I am going to suggest to Senator Dent or Senator Holland, and those who were here on that day, that they get the transcript of the testimony which was taken on the phase of estimated receipts about which you are talking. You will find that we went into that phase of it, if I may repeat, very very thoroughly. I am satisfied that the officials of the Department of Revenue considered every possible factor in arriving at the estimates they submitted to the Budget Bureau, including figures that were complied by Doctor Logan, the previous Budget Director ,by the Pennsylvania Economy League and from every other source that was available to the Department of Revenue.

If you have something different, do not just bring it in and say $71,000,000, without breaking it down to indicate where you are going to get the $71,000,000 additional. That is what is wrong with your whole theory. You are giving us lump sum figures, but you are not breaking them down. You know, as well as I do, that in official statements, published by the newspapers, when the Department of Revenue increased its estimates by $41,000,000, they did not just say $41,000,000. They said where they estimated the increases and they pinpointed it by classification of taxes which are collected by the Commonwealth of Pennsylvania. Unless you do that, your figures that you submit on either expenditures, on appropriations or on estimates just cannot be relied upon, because anybody can pick a figure from the air and just name it. That does not make it authentic and it does not make it reliable. There are a whole series of taxes which are collected by the Comonwealth of Pennsylvania. The $41,000,000 figure that was given was not given in connection with any one tax; it was in connection with a series of taxes and it was substantiated. If you can refute it by proper evidence, proper authority and proper proof, then you should present it and not just give us lump sum figures.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and Members of the Senate, if we were on the question before the Senate, I would be tempted to move the previous question. The previous question, as I understood it, was that Senator Mahany felt aggrieved at a statement which was supposed to have been made over television last night. I am quite a television fan, so, by accident last night, I happened to tune in. I heard the illustrious Senator Yosko being questioned by some very qualified newspapermen. They asked him some pretty ticklish questions and Joe answered those which he could answer directly and parried the others, which is a very good presentation of the matter.

Mr. President, I want to say to Senator Mahany and Senator Kessler that unless my hearing has gone completely wrong, I did not hear either one of the gentlemen, or any other Member of the Senate, called a coward or any other name. I do not think that Senator Yosko took any more liberties than most of us have taken many times in our political lives with the reputations of our opponents. I remember distinctly of listening to the follow-up to the Governor when he was out over the State attempting to sell the people his tax and budget program,and he was answered by some gentlemen who are Members of the House and Senate. I remember that I was so angry on occasion that if I could have had within reach of my arms at the time a couple of the Senators and House Members who were answering the Governor, I would have attempted, in my feeble way, to have wrung their necks. I think they said, both in plain language and in inference, that the Governor should be impeached because he won by deceit, that he had fooled the people and that he had lied to the people.

All of us know in a campaign or in a political situation we tamper with the absolute truth. It is one of the licenses which is given to us as candidates and as political party affiliates. I am sure most of the people do not believe what is said about each of us in our compaigns or we would not be here. I am sure that Senator Mahany will not be injured in his political career — and I know that that is the first consideration of most of us — by any statement that was made by Senator Yosko last night. I might say that if a fellow wanted to dig up a recent historical occurrence, he could show where Senator Mahany and others on the other side, Senator Fleming and the Leader of the House, Representative Smith, for six months told the people in the broadest type of language that $200,000,000 could be slashed from the budget without any problem at all. They did not give us any breakdown then, and now they come along with the $131,000,000 figure. They dropped the $69,000,000; we did not. They lost $69,000,000 of their estimate in the last sixty days. In trying to reach a common ground where we can adjourn this Senate sine die, we are attempting to give some kind of a factual representation of the figures as an outside agency would compute them.

Senator Mahany picked out the Department of Revnue and said that it would not have the tax collection costs and, therefore, that would be a reduced budget. That is why the Governor could point to that one. However, in order to refresh Senator Mahany's memory, here is exactly what Senator Mahany said and I quote:

"As the attached summary will show, these reductions can be made without impairing or crippling any essential service of the Comonwealth. Every department and agency of the State Government will receive more than was actually spent in the last biennium when the Governor, as a candidate, said too much money was being spent. As for revenue from existing taxes in submitting a revised estimate of $41,000,000, the Governor failed to go far enough. We believe existing sources of revenue will produce $35,

000,000 more than the Governor now says it will."

Now, Mr. President, if Senator Mahany made that statement on the floor of the Senate, we could challenge his statement. However, inasmuch as this statement went to every newspaper in the State of Pennsylvania, the people of this State fully expect that they are going to get more services for less money. That is not true here or in any other level of government, or in any enterprise or activity in this Comomnwealth. There is no such thing as having a bargain day in government.

How anybody can cut $26,000,000 from the Department of Public Instruction's budget and add approximately $72,000,000 for mandated costs and still spend actually less money than was spent by Governor Fine is to me a mystery. That is the one I am going to watch and see how you get around it. You know, there was a small kid in school, in the first grade, and the teacher asked how much four and one was. The boy studied and studied and he said, "Six."

The teacher said, "You are wrong; it is five."

"Oh ,no," he said, "you don't fool me ,teacher. Yesterday you said that three and two was five."

That appeares to be the method of arithmetic which is being used by some of the great budget experts that we have suddenly developed. I do not profess to be a mathematician; I do not profess to be a budget expert, but long ago I learned that you could make five out of four and one the same as you can three and two. Therefore, I have discovered, without too much help in the past twelve years that I have been the leader on the Democratic side, that I had to analyze budget figures for myself. If you will go back over the records, you will find that my percentage of hitting on budget estimates and expenditures was a great deal better, on a batting average, than Mr. Logan who was paid to do that particular work at a very fine salary. I suggest to the other side that before they make any statements that are based upon "Loganized" estimates, they be careful because they, themselves, found, and to my knowledge they found that they had to make re-estimates of Mr. Logan's figures time and time again.

I remember an incident that to me is very illuminating. We were sitting in the office of the Governor of the State of Pennsylvania and we were trying to devise a tax program. We had picked on a particular style of a sales tax on restricted items, and the estimate was given to us of a certain number of millions of dollars. After about four and a half or five hours, we added up these figures and we added up the budget needs, and we found that we were $10,000,000 short. I will always remember my amazement when Mr. Logan spoke up and said, "Well, we can fix that. We will just up the estimate in this category $10, 000,000."

Now, Mr. President and Members of the Senate, no person living can accurately, as Senator Mahany so ably said, determine the future economy of the State. Because of this, over the years there has been an absolute necessity for, in a greater or lesser degree, overestimating the budget needs and underestimating revenue returns. We have a very limited power in this Commonwelath when it comes to borrowing money. State functions must be continued. That is why, Senator Mahany and Members of this Senate, we have fought on this side for many years for a revision in the Constitution calling for annual Sessions. When you perform this fiat operation on the budget and on the Comomnwealth's economy by overestimating and underestimating, you sometimes come out with a surplus. When you do that, the money is usually grabbed immediately and channeled into some expenditure, and the Legisalture finds itself in a hopeless position two years later to effect an economy that might save the people money.

We have been asking you to support us in letting us have a yearly Session in order that we can reduce the hazards of trying to outguess the economy of the Commonwealtn.

We all try to play politics to its hilt, and I am as guilty as any man who ever served in this Senate. I have found long ago that unless we practice some degree of political astuteness and strategy, we are not Members of this Senate to practice anything. We are defeated. Therefore, in order to get some good out of our services in the General Assembly we practice a little politics. However, that does not stop us, as men of good character and men of public interest, from getting together on fundamental changes in the legislative halls. I beg of you to recognize the necessity of the modern day government and bring out to the people a vote upon a yearly Session so we can reduce the Sessions which are permanently going to go beyond the six and seven month period so long as we have a two-year guessing game before us. In the end, the people will benefit. Whichever party is in power, the people will benefit because in the end — and this statement I want to make just as surely as I am standing on this floor — I do not believe that any Member of this Senate wants to place one cent more of taxation upon the people than they honestly believe is necessary to carry out the essential services of government.

When you get into that question of services, however, relate it to your own family. I have an automobile which happens to be a Lincoln. I know that a Ford or a Nash or even a Volkswagen, this new little buggy that is coming along ,would serve my purpose in so far as transportation is concerned. If the purpose is for me to get from point A to point B a $1,400 or $1,500 car would do that. However, taking into consideration the hours that I drive, the necessity of trying to preserve my strength in my middle age and the necessity of getting there in as much comfort and with the greatest safe speed that I can, I would probably spend $4,000 for an automobile. That is the way it is in government. You can take the mental institutions and you can put a big fence around them, as we have, and take the people who are mentally deficient and toss them in there; put them on beds of straw, as has been the case in the past, close the shutters on the windows, lock the doors, pick up all the vagrants that you can pick up and put them in as attendants and you can save money. However, if you want to try to rehabilitate these people and put them back into useful society, then you must spend more money.

It is the degree of service you want to render. You can cut services just like you can cut the price of your automobile. You go out and buy a television set; you can buy a Muntz which sells for $195 for a twenty-one inch set, a television set that will bring you reception, or you can buy an expensive model that sells for $595, and it will also only bring you reception. These things are matters that we must hash out and discuss. Certainly you can cut the quality of your services. However, this economy of ours, in every phase, is not built upon that because, if it were, they would close Lit Brothers and expand Woolworths. These are just simple matters of arithmetic, economy and the ways of life.

So far as how much you cut from the budget, yes, that is your prerogative. However, when you make your statements, tell the people. "We thought we could cut $200,000,000," you should say. "We could not substantiate that. Now we think we can cut $131,000,000 and these are the departments in which we say we can cut it." Now, Mr. President and Members of this Senate, it may be possible; I do not know.

In order to refresh your minds, you can cut $3,457,000, you tell me, from the Department of Forests and Waters. I have on my desk a request from the residents of Roaring Run. Chief among these residents from Roaring Run is a small religious camp. We all know the status of religion in any community. It is not a wealthy enterprise. They hold this little summer camp there, and every time they get a flash storm they are afflicted with a flash flood, ending up over the bank and into this camp. Instead of the children who are in this camp being free—unfortunately, most of them are children from poor parents—and enjoying themselves, they spend most of their time digging out of the mud. That camp requires, as well as the residents, a dredging of that stream for about eighteen inches of silt that has washed down. It requires the changing of a bridge. The bridge was designed in the old days when the girders were put under bridges instead of the new type with the girders above. New we may spend $135,000 to do that.

I also have a request from the city of Greensburg for an appropriation of approximately $335,000 to deepen Jack's Run, which at one time was a roaring run itself but over the years has dwindled into a small piddling stream. They have to deepen that channel and widen it so that the industries on the lower end of Jack's Run, upon which the economy of the community depends, are not flooded out. We have been told in writing, and we have been told in petitions, unless we do something these industries are going to move. The chances that they will move out of the State are good, because Mississippi, Georgia, North Carolina and South Carolina are not as niggardly in their appropriations to their Department of Commerce for moneys to go out and induce dissatisfied industries in other States to come into their State. They build plants for them and let them amortize them over a great many years.

Certainly, Mr. President, you can cut $25,000,000 or $20,000,000 from the Governor's request in that department and that is what you are doing. You do not have to do these things. You do not even have to buy a Ford, let alone a Lincoln or a Cadillac. You can walk if you want to, but that is not the economy of today. Yes, you can cut, for instance, Public Assistance $18,000,000. Maybe you can, I do not know. I only know that if I were unfortunate enough to be on public assistance and my children depended upon that department for food, and, incidentally, its program is one which is very well supervised since you gentlemen were responsible for it for sixteen years, I would not want to see this appropriation cut. We are only asking the amount of $15,895,000 in excess of the amount you asked for. This has been proven by the facts of your past administration. I stood on the floor and told you that you were going to be short anywhere from $10,000,000 to $15,000,000 in public assistance, and that is what happened. I am not a particularly bright man, but I can add four and one and three and two, which is darn important here when we are talking about these matters.

Mr. President, now just get this picture here. I want to see how intelligent this cut is, Mr. Mahany. Under the economic development program, you have told the people that you can cut $27,200,000 from that program. The total budget for that program is only $20,000,000 in so far as the State is concerned. Eight and one half million dollars of that you voted for. It was sent over to the Governor with your unanimous vote for the economic redevelopment of the anthracite region. Was it political that you voted for that? Is the anthracite region the only region in the Commonwealth that requires economic redevelopment and consideration? The Governor signed that bill. Now $5,000,000 more of that I am sure, Mr. Mahany, you would not tell the people you would cut because that $5,000,000 is predicated upon a $5,000,000 matching fund from local governments and a contribution from the Federal government of $20,000,000.

I know you are intelligent, and I know that you want to do what is right. I cannot believe that you would say that the Commonwealth can refuse to spend $5,000,000 when there is an additional $25,000,000 being spent with it, or a $30,000,000 program for $5,000,000. It is not only bad arithmetic, but it is bad economics and bad politics, which is important.

Mr. President, you can go on through this list. You say you could cut $500,000 from the Governor's office. Certainly you can. You can easily cut $500,000. You can cut $800,000. You can pay the Governor, because you have to, as the law states. You can also take all his help from him. The $500,000 added to the Governor's office, which you want to cut, was put there upon the recommendation of an agency in Pennsylvania which is completely under the domination and is a creature of the manufacturers of this State. They recommended it to the Governor because they said that by the spending of this sum of money in his office under the patterns set up by them, the Commonwealth would benefit in dollars and cents in an amount much greater than the expenditure for the change in administrative policy. That was promoted by, recommended by, advocated by and put into effect under the auspices of the Pennsylvania Economy League.

We want the people to know that we are not anxious to destroy this government. When you overtax you can destroy a government. I think it was John Marshall who made that statement many years ago: "The power to tax is the power to destroy." We only ask you to sit down with us, a group from your side and a group from out side. I have begged you to do it for months and I am happy to say that we have had some meetings. I am sorry that these things come up, but we have a way of bringing them up out of tune. No orchestra can make music that is presentable to the ear of the listener if the bass viol is out of tune or the drums are off beat. We are trying to tune this General Assembly to an early adjournment if we can. I am so suspicious that we are not dealing in proper and good faith. I am hoping that I am wrong. I am not making that charge because I have nothing that I can put my fingers on, but if the Republicans have decided not to do anything until after the November elections, let us be honest to each other and to

the people, and let us recess until after the November election.

Let us then, if we wish, create an impartial or a partial committee, whichever one you like best, and let us leaders in the General Assembly take our responsibilities, work out a program and present it to the Governor and say, "This we can agree upon, Governor. This is all we can get the votes for in the Senate and let us have this Session over with." You will do that sooner or later. Sooner or later you must come to that conclusion. So long as you have twenty-six votes bound in a unit, there is nothing we can do. I have talked to the individual members and I am sure that there are many on your side—in fact, I would say practically every man on your side realizes the futility and the hopelessness of pursuing the course we are pursuing.

I have heard you say many times that we did not help you in 1951. Who were we to help in 1951? You had the votes. You had more than a constitutional majority on your side. You were asking us to give you ten votes. You were divided and vociferous on the party of both the minority on your side and the majority on your side as to who was right. Senator Walker, the leader at that time, made many speeches in which he said that the budget could be cut so much. A spokesman for the Governor said that that was not true. Which side were we to support? Were we to support those who would not follow the Governor or were we to support the Governor of the Commonwealth? What position could we find ourselves in? Will you remember that, when you finally determined a program, you received Democratic votes for everyone of the tax bills that you decided upon?

Mr. President, these things are historical and they are in the record. Now, Mr. Mahany and Members of the Senate, the people of Pennsylvania must realize that our jobs are not easy. We have tried over the years to increase the expense accounts of the Members of the Senate and to make conditions better by giving some secretarial help in order that we can assume the proper responsibilities that the law demands that we assume. However, today no one can compare this job as a Member of this Senate to what the job was when Senator Graybill Diehm, Senator Ruth, Senator Chapman myself and perhaps some of the others who have been here twenty or more years first came into this body. In those days, the Session lasted six or seven weeks. No one ever questioned the budget figures. No one ever probed the possibilities of different tax sources because we had no facilities whatsoever. The only thing that belonged to a Senator at that time was his desk on the floor and half of a clothes closet in the rear. We have come up a little ways.

Mr. President, we try to compare ourselves with other States. In other States the Members of the General Assembly work year round; yes, they do but they are paid for it. They have proper offices, they have proper clerical help and when they want facts and figures they go to their own sources; they hold their own budget hearings. If we want to have the kind of government that this great, illustrious and industrious State must have, we have to get together at this time. With a divided House and a divided Senate, we can now establish the reforms in government which will probably alleviate this condition in the future. Right now we have the opportunity to stand before the people and say, "We are going to do this, we are going to create this agency that serves the General Assembly."

I have recommended for years, and I do so again now, a bipartisan Joint State Government Commission with equal numbers from both political parties, so that that agency can become the agency of the General Assembly and not of the political party which happens to be in power. That agency can, with the money that is spent there, the studies they make and the help they have and can get, be the kind of an informative bureau that will give us the figures which Mr. Mahany has to have and which I have to have if we are to properly represent our groups as their leaders. We ought to be able to go to a legislatively employed group and say to them, "How much money will come from this source of taxation," and we would then be in a position to accept their figures because they are servants of the General Assembly.

Therefore, Mr. President, let us do away with this hashing and haggling over how much can be cut from the budget, how much will be cut from the budget, what source of taxation we have or will have. Let us try to work together as a group of men interested primarily in the welfare of the peoples of Pennsylvania and, secondarily, in the welfare of our parties.

To go back to the previous question, Mr. Mahany and Mr. Kessler, and any other Member on the other side who feels aggrieved at some reported statement made by Senator Yosko, as one who witnessed the program, I can testify to you that he did not call you personal names. He did not call you a coward or anything else. I am sure that you can take my word for that.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, the gentleman from Crawford, Senatro Mahany, seems to be very touchy if anything is said that is not to his liking. However, the gentleman from Crawford does not practice what he preaches.

In his statement today about Mr. Thomas, the Secretary of Property and Supplies, he, by inference, made his past position appear as though it were below the dignity of a man who should be in the employ of government. Senator Mahany inferred that Mr. Thomas, because he was an operator of a small flower shop in his county back home, did not have the ability or the business experience to be the Secretary of Property and Supplies.

Mr. President, there are thousands and thousands of men who have little flower shops throughout Pennsylvania who are very good businessmen and have much more business experience than some of the other men whom Senator Mahany feels are qualified. In fact, I would like to call to the Members' attention that a Member of this Senate is a very successful owner of a little flower shop; namely, Senator Kopriver. I believe we all have respect for his ability and his integrity.

I think it is hitting below the belt when an attorney uses some of the things which are used in courts to confuse a jury in order to confuse the public by stating that he thought that Mr. Thomas should go back to his

little flower shop. That, to me, is inferring that he does not have the ability to serve as the Secretary of the Department of Property and Supplies and that no operator of a flower shop in Pennsylvania has the ability to take his part in political life, as Mr. Thomas is now doing.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Senator Mahany, I say this again, as a friend. You did refer to the increase of $600,000 in the Governor's budget sometime ago. I might suggest to you that if and when you debate the proposed cut, you do not lead with your chin again. During the testimony that was taken here, because of the bureaus which were set up in the Governor's Office, upon the recommendation of the Pennsylvania Economy League, one bureau up there—and I am not going to go into them all, I am just going to go into one—arranged, from a study it made, to get from the Surplus Commodities Administration $10,000,000 worth of surplus food instead of $4,000,000. Just that one project will more than pay for itself.

That was an indication to me that because of laxity in the past, under administrations that you represent, the Commonwealth of Pennsylvania lost $6,000,000 in allocations of food to State institutions. Just that one project, alone, justifies the expenditure of the increase in the appropriation. The Governor does not spend a penny of that directly for the administration of his office. It was based on a recommendation of an agency that you said, yesterday, is a reliable agency and an agency which serves governments on all levels in an advisory capacity for purposes of economy and efficiency in government.

Mr. President, when that portion of it comes up for debate, Senator Mahany should be careful what he says and how he proposes to reduce the Governor's budget by $600.000.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, first I again want to thank Senator Yosko for his advice and I expect that when the Democratic Senators and the Democratic House Members, together with the Republican Senators and House Members, get together with the Pennsylvania Economy League we will be able to arrive at some definate figure as to what is needed in the way of the Governor's budget.

I want also Mr. President, to answer Senator Holland's accusation, because certainly when I made the statement about my good friend, Bill Thomas, I did not mean to infer that he was not qualified to be Secretary of the Department of Proporty and Supplies. If I had thought that, I certainly would not have voted for his confirmation. I have known Bill Thomas for many years. I have known him as a friend, and I did not mean to infer, in any way whatsoever, that Bill Thomas was not qualified to be Secretary of Property and Supplies. I did say that if he had been down here in 1951 and 1953, instead of taking care of his little flower shop, then he would have seen at first hand what we were going through in the way of work to cut the Governor's budget.

This is not the first attempt on our part to cut the Governor's budget. We cut Governor Fine's budget both in 1951 and 1953. How Senator Holland can jump to the conclusion that I meant to infer that people who run little flower shops in Pennsylvania should not be down here as Secretary of Property and Supplies. I do not know. That certainly would be a far jump to conclude that from what I said. Of course, any merchant, whether he be large or small, is qualified as far as running his particular shop is concerned to come down here either to serve in the Senate, in the House or in any other departments of government. That is shown by the background, let us say, of Governor Leader who ran either a large chicken farm or a small chicken farm. We do not detract from him because of the fact that he was in that particular business before.

I want Senator Holland to know and my good friend, Bill Thomas, to know that there was no inference at all of any ineligibility that he might have by reason of having operated a flower shop. I want that definitely understood that there was no such inference in my remarks.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, the exact words which the gentleman from Crawford, Senator Mahany, said were that if that is all Mr. Thomas knew about the budget, then he should go back to his little flower shop. Those words were said by the gentleman from Crawford. If he wants to delete those words from his statement, I will be very glad to reconsider what I have said.

PERMISSION TO ADDRESS SENATE

Mr. McMENAMIN asked and obtained unanimous consent to address the Senate.

Mr. McMENAMIN. Mr. President, under the present public school law, school boards are authorized to retire teachers at the age of sixty-two. One of the problems that all of us are concerned with is how to provide employment in later years for that constantly growing portion of our population which is known as senior citizens.

I think all of us know, also, that one of the many problems which the public school system faces is a shortage of teachers. It seems not sensible in this day and age for teachers to be retired at age sixty-two. Certainly, some of our best teachers in the public schools are teachers with years of experience. I believe that the law should be corrected to raise the minimum retirement age in the public schools of Pennsylvania to sixty-five.

Therefore, on behalf of myself and Senator Mallery, from Blair County, I am introducing this bill.

BILL INTRODUCED AND REFERRED

Mr. McMENAMIN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. McMENAMIN and MALLERY read in place and presented to the Chair Senate Bill No. 755, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," increasing the age at which the services of a professional employe may be terminated.

Which was committed to the Committee on Education.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, September 19, 1955, at 2:30 o'clock o'clock, p.m., Eastern Standard Time.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:02 o'clock, a. m., Eastern Standard Time, until Monday, September 19, 1955, at 2:30 o'clock p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, September 14, 1955

The House met at 9:30 a.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend Harold J. Crouse, Pastor of Trinity Lutheran Church, York, offered the following prayer:

Almighty God, whose loving kindness is new unto us every morning, let Thy mercy make us merciful, and give us strength to go bravely on our business all this day. Guide these representatives by Thy Spirit so they may with understanding minds govern and rule over us in righteousness and justice.

Now, to Thee, O Lord, we commend ourselves this day. Let Thy fatherly hand be over us; let Thy Holy Spirit ever be with us and so lead us to do whatsoever we ought to do, to bring Thy blessing to our own lives and to the lives of others with whom we work and fellowship. Come, not to sojourn, but abide with us forever, Lord of Heaven and earth. Amen.

The SPEAKER. The Chair requests the gentleman from Crawford, Mr. Kent, to preside.

MR. KENT IN THE CHAIR

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. If there is no objection, the approval of the Journal for Tuesday, September 13, 1955, will be postponed until printed. The Chair hears none.

BILLS INTRODUCED AND REFERRED

The SPEAKER pro tempore. The Speaker has referred the following bills.

By Messrs. MULDOWNEY and FRASCELLA.

HOUSE BILL No. 1796.

An Act making an appropriation to the City of Philadelphia to be used in preparing and furnishing a permanent berth for the cruiser Olympia.

Referred to the Committee on Appropriations.

By Mr. READINGER. HOUSE BILL No. 1797.

An Act amending the act of June 25, 1947 (P. L. 973), entitled "An act relating to the annual salaries of certain county officers of counties of the third class," increasing the salaries of prothonotaries of counties of the third class.

Referred to the Committee on Counties.

By Mrs. REIBMAN, Messrs. GAFFNEY and PACCHIOLI. HOUSE BILL No. 1798.

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges, transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as heretofore amended and supplemented; authorizing the Governor of either State to veto the action of any commissioner from his State requiring express authorization by the two states for the construction or acquisition of any additional bridge or port and terminal facility, and the administration, operation and maintenance thereof; and authorizing the Governor to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent to such supplemental compact or agreement.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE RESOLUTIONS FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

SENATE SERIAL No. 113.

In the Senate, March 1, 1955.

The Pennsylvania Training School at Morganza is purportedly reminiscent of ancient and generally outmoded practices in its treatment of female prisoners.

Recent reports from reputable sources state that the girls at Morganza are confined in cells with inadequate heating, clothing, food and no toilet facilities. Conditions such as these are certainly not in furtherance of the new and enlightened concepts of training school techniques which our Commonwealth has adopted; and therefore it appears an investigation is necessary to ascertain the truth of these reports and to determine how these conditions can be best remedied.

These charges cast reflections upon the integrity of all public officials and must create serious doubts and grave apprehensions among the people concerning the good conduct of our government. An immediate, impartial investigation of these charges is necessary in order to remedy

these conditions, if true, or to protect the good name of public officials and institutions, if false.

In order to aid in the development of the program of this administration in cooperation with and approval by the Department of Welfare for the enlightened treatment, cure and rehabilitation of these unfortunate patients; therefore be it

Resolved (if the House of Representatives concurs), that in the interest of fair play the President Pro Tempore of the Senate appoint four members of the Senate, two of whom shall be Republicans and two Democrats, and the Speaker of the House of Representatives appoint four members of the House, two of whom shall be Republicans and two Democrats, who together shall constitute a Joint Commission and be authorized and directed to make an immediate investigation of all the charges made and to hear all suggestions of an enlightened and progressive program for the proper operation of this institution.

The Committee shall have the power to issue Subpoenas under its hand and seal requiring and commanding any person or persons to appear before them and answer questions touching matters properly being inquired into and to produce such books, papers, records and documents as the committee may deem necessary. Such Subpoenas shall have the force and effect of Subpoenas issued out of the Courts of this Commonwealth. The committee shall have the power to administer oaths and affirmations to witnesses appearing before them. Any person who shall willfully neglect or refuse to testify before the committee or to produce books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved that the committee make a report of its findings, together with its recommendations for appropriate legislation at the earliest possible date before the adjournment of this session of the General Assembly.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

SENATE SERIAL No. 145.

In the Senate, September 12, 1955.

Whereas, The laws affecting domestic relations are many and varied, and

Whereas, No one court has jurisdiction to hear and determine the causes arising under such laws; but the parties involved are required to submit to the jurisdiction of several courts, and

Whereas, Such divided jurisdiction in matters of the family relationship leads to delay, expense, multiplicity of actions and confusion; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to study and investigate the jurisdiction of the several courts of the Commonwealth concerning and arising out of the family relationship; and the feasibility of establishing a Court of Domestic Relations in each judicial district with jurisdiction to hear and determine all such causes, and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

COMMUNICATIONS

RESOLUTIONS—ESTABLISHMENT OF YOUTH ACTIVITY CAMPS

The SPEAKER laid before the House resolutions Nos. 13 and 14 adopted by the Philadelphia Federation of Teachers endorsing the establishment of Youth Activity Camps.

Referred to the Committee on Education.

RESOLUTION—ADDITIONAL BUILDINGS FOR DEFECTIVE CHILDREN

The SPEAKER laid before the House a resolution adopted by the Pennsylvania Council of Juvenile Court Judges urging the erection of additional buildings for defective children.

Referred to the Committee on Appropriations.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 31.

An Act reenacting and amending the act of May sixteen one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" extending its provisions for a further limited period of time changing the definition of net income in certain cases and changing the rate of tax applicable to stock life insurance companies

HOUSE BILL No. 32.

An Act reenacting and amending the act of August twenty-fourth one thousand nine hundred fifty-one (P. L. 1417) entitled as amended "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county offcers boards and departments making an appropriation and providing penalties" extending its provisions for a further limited period of time and changing the definition of net income in certain cases

HOUSE BILL No. 37.

An Act amending the act of June one one thousand eight hundred and eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

HOUSE BILL No. 38.

An Act amending the act of June first one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue

by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time

HOUSE BILL No. 921.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto" authorizing school directors to invest certain funds in legal investments.

HOUSE BILL No. 922.

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" removing the requirement that auctions be conducted by licensed auctioneers

HOUSE BILL No. 1278.

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing school districts of the first class to dedicate sell donate convey or lease real estate to the city comprising the district for any purpose with or without consideration.

HOUSE BILL No. 1355.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions appliacble as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto" further defining the circumstances under which the approval of the Department of Public Instruction is required for construction or repairs.

HOUSE BILL No. 1375.

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the compensation of certified public accountants employed by school districts of the fourth class.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 31.

An Act reenacting and amending the act of May sixteen on thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations jointstock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" extending its provisions for a further limited period of time changing the definition of net income in certain cases and changing the rate of tax applicable to stock life insurance companies

HOUSE BILL No. 32.

An Act reenacting and amending the act of August twenty-fourth one thousand nine hundred fifty-one P L 1417) entitled as amended "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" extending its provisions for a furthere limited period of time and changing the definition of net income in certain cases

HOUSE BILL No. 37.

An Act amending the act of June one one thousand eight hundred and eighty-nine (P L 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

HOUSE BILL No. 38.

An Act amending the act of June first one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time

HOUSE BILL No. 921.

An Act amending the act of March 10, 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing school directors to invest certain funds in legal investments.

HOUSE BILL No. 922.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" removing the requirement that auctions be conducted by licensed auctioneers

HOUSE BILL No. 1278.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidatng and changing the laws relating thereto," authorizing school districts of the first class to dedicate, sell, donate, convey or lease real estate to the city comprising the district for any purpose with or without consideration.

HOUSE BILL No. 1355.

An Act amending the act of March 10 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further defining the circumstances under which the approval of the Department of Public Instruction is required for construction or repairs

HOUSE BILL No. 1375.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," providing for the compensation of certified public accountants employed by school districts of the fourth class.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION

The SPEAKER laid before the House the following communication:

Philadelphia, September 12th.

Dear Mr. Andrews:

I should like to express my warm appreciation, and my sons' and daughter's, for your kind gesture and that of the Representatives in adopting the resolution extending to us the sympathy and condolence of the gentlemen Representatives in the House on the passing of my husband, Albert L. Pfaff. Will you convey our thanks to the members?

It is comforting to us to have, and we shall remember your kindness always.

Very sincerely yours,

JANE PFAFF.

Hon. Hiram G. Andrews, Speaker
House of Representatives
Harrisburg, Pennsylvania

APPROPRIATION BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1746, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1783, entitled:

An Act to provide for the ordinary expenses of the Department of Health for two years beginning June first one thousand nine hundred fifty-five.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 115, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such cofpensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" further defining "unemployed" as to the members of the General Assembly

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 154, entitled:

An Act amending the act of May 2 1929 (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the closing of court houses and other county offices on Saturday

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 166, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" temporarily excluding under certain conditions taxes imposed on real property transfers in certain school districts in determining tax limitations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 343, entitled:

An Act amending the act of June 2, 1915 (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" providing for payment by insurance carrier held liable by decision of referee and filing of bond by insurance carrier relieved of liability conditioned upon payment of amount of its liability fixed by final appellate decision

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 500, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulations of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common cariers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment procedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by requiring public utilities to give written notice and to make available to any political subdivision municipal corporation or other designated interested party upon request with copies of all increases in existing tariffs and all data and evidence submitted to the commission in support thereof requiring a public hearing by the commission not less than sixty days from time of filing proposed increase concerning the lawfulness of such rate providing that the rate in force at the time of filing the increase shall continue until adjudication of the litigation between the parties pending before the commission provided however that the commission shall have the power to change such rates for reasonable cause providing that the commission shall not by the establishment of temporary rates or by rule or otherwise circumvent alter or modify provisions of this amendment relative to increases in existing law providing that temporary rates may be established by the commission only after notice and hearing as required by section three hundred eight and by providing that common carriers by motor vehicles except those which transport passengers shall be exempt from certain provisions of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 662, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" empowering nonprofit corporations to transfer their property and assets in trust

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1055, entitled:

An Act repealing section 208.1 act of December 5, 1936 (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" prohibiting the granting of regular employe status in the classified service to certain personnel

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1221, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" limiting the period for approval of one-room one teacher schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1340, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and

parochial schools amending revising consolidating and changing the laws relating thereto" further providing for payments to school districts on account of pupil transportation.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1387, entitled:

An Act amending the act of May 13, 1915 (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" regulating the employment of minors on farms

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1388, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" changing the salaries of the tax collector in cities of the third class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1391, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" fixing the minimum salary of city treasurers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1396, entitled:

An Act to further amend section 2 of the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1676) entitled as amended "An act to provide revenue in school districts of the first class by imposing a tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by changing certain exemptions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1402, entitled:

An Act to further amend section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by changing certain exemptions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1501, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey real property situate in the Borough of West Chester Chester County

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1545, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions definig the powers and duties of the Governor and other executive administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" establishing a Department of Recreation and defining its powers and duties

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1546, entitled:

An Act relating to and providing for the promotion and development of a State-wide recreation program in the Commonwealth conferring powers and duties upon the Department of Recreation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1589, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the names of the general hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1590, entitled:

An Act amending the act of June 19, 1939 (P. L. 438) entitled "An act declaring certain restricted State hospitals to be general hospitals and within the limitations of their individual facilities open for the treatment of patients and cases which other general hospitals may treat" changing the names of the general hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1592, entitled:

An Act amending the act of May 14, 1907 (P. L. 197) entitled "An act to provide for the establishing and maintenance of one or more sanatoria or colonies in Pennsylvania for the free care and treatment of indigent persons suffering from tuberculosis and making an appropriation therefor" extending its provisions to all persons suffering or suspected of suffering from tuberculosis.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1593, entitled:

An Act regulating waste disposal areas in certain parts of the Commonwealth providing for permits placing duties upon the Department of Mines and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1613, entitled:

An Act to further amend Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by requiring every title insurance or trust company bank and trust company or trust company to compute and pay the State tax on shares of capital stock when making reports and extending the date for making such reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1617, entitled:

An Act amending the act of July 11, 1917 (P. L. 769) entitled "An act to regulate the importation into the State of Pennsylvania of dependent delinquent or defective children and providing a penalty for the violation thereof" authorizing use of forfeited bond for the further placing of children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1642, entitled:

An Act to add clause (l) to section two thousand one hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions

shall be determined" by authorizing and making it the duty of the Department of Health to provide limited training in the field of public health work for certain State and municipal employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1643, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" redefining the powers and duties of the Department of Health.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1685, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negogiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" designating the lake area on which motor boats may be operated limiting the horsepower of the motor boats operated thereon and fixing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1695, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" increasing the jurisdiction of magistrates of the municipal traffic court in cities of the second class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1721, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds property and investments held in a fiduciary capacity

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1723, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that State policemen assigned to duty with the Pennsylvania Turnpike Commission shall not be counted against the total number of officers and men in the State Police Force

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1725, entitled:

An Act relating to the use of conveyor belts in coal mines providing for the safety of persons employed therein and the protection of property connected therewith conferring powers and imposing duties upon the Department of Mines and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1726, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further regulating regular meetings of boards of directors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1734, entitled:

An Act amending the act of July 15, 1935 (P. L. 1034) entitled "An act requiring operators of anthracite coal mines to report shipments to the Department of Mines" requiring breakers washeries or preparation plants to file reports and changing the time for filing reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1736, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" removing the right of appeal to the Governor in cases of incorporation merger consolidation and conversion of building and loan associations and Federal savings and loan associations and making the decision of the Department of Banking conclusive

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1752, entitled:

An Act amending the act of June 9, 1911 (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" changing applicability of act and the requirement of a mine foreman in small mines.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

M O R G A N—September 16—No. 14—

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1773, entitled:

An Act further amending the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" making certain information regarding refunds available for public inspection changing certain provisions as to the imposition and remission of penalties and granting of refunds and clarifying provisions as to settlements

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 235, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by including tuberculosis within the meaning of the term occupational disease in the occupation of nursing.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 262, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retaind by such fiduciaries," authorizing fiduciaries to invest in bonds, notes or other obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and con-

sideration of Senate Bill No. 267, entitled:

An Act amending the act of June 24, 1939 (P. L. 746), entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons, and validating the acquittances of such minors and validating the acquittances of either person in a joint account, under certain conditions; and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee," further outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 268, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights. powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further defining and limiting the rights, powers, duties, liabilities and immunities of such associations and making further provisions governing the transfer of shares, the payment of trustee accounts, authorized investments, security for mortgage loans, and loans secured by chattel paper.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 277, entitled:

An Act amending the act of June 24 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor district and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulatng the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" further providing for the administration of the fiscal affairs of the county institution districts in counties of the third to eighth classes regulating the making of contracts and purchases authorizing such districts to take by gift grant devise or bequest money and property and conferring powers and imposing duties on county commissioners county treasurers county controllers and county auditors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 456, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," conferring exclusive jurisdiction on certain courts over service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 457, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," further providing for appropriations by such cities to official police pension funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 472, entitled:

An Act amending the act of May 15, 1933, (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," providing for notice to, and rights of, National banking associations in cases where a branch is proposed to be established by an institution in a county contiguous to that of its principal place of business.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 508, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and

amending revising and consolidating the law relating thereto" requiring directors of departments to prepare and submit quarterly reports to the Director of the Department of Accounts and Finance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 510, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," further regulating appropriations for maintenance and operation of recreation places.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 603, entitled:

An Act amending the act of June 24 1937 P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" authorizing the sale of surplus farm products and other personal property

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 646, entitled:

An Act amending the act of June 21 1939 (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" entitled certain unemployed persons to benefits and fixing minimum compensation payments

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. LUTTY from the Committee on Cities—Counties Second and Second Class A, reported as committed, House Bill No. 1781, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," enabling county commissioners to establish by resolution the requirements of responsible bidders for county printing.

CALL OF THE HOUSE

Mr. ANDREWS. Mr. Speaker, I rise to suggest the absence of a quorum.

The SPEAKER pro tempore. The gentleman from Cambria, Mr. Andrews, suggests the absence of a quorum. The Sergeant-at-Arms will close the doors of the House, keep them closed and admit only Members of the House.

LEAVE OF ABSENCE

Mr. ERB. Mr. Speaker, I would like to ask leave of absence for my colleague from Blair, Mr. Miller, because of illness.

The SPEAKER pro tempore. If there is no objection, leave of absence will be granted to the gentleman from Blair, Mr. Miller. The Chair hears no objection.

The Clerk will call the roll. Members will answer distinctly to their names as called.

The roll was called and the following Members were present:

PRESENT—174

Adam,	Frascella,	Magee,	Rosen,
Agnew,	Frost,	Mahan,	Rovansek,
Amarando,	Gaffney,	Maxwell,	Royer,
Anderson, M. S.,	Garlock,	McCann,	Rubin,
Anderson, S. A.,	Gelfand,	McCormack,	Rudisill,
Ashton,	George,	McGee,	Sarraf,
Auker,	Gibb,	McLaughlin,	Scarcelli,
Banker,	Gibson,	McWherter,	Schuster,
Barnatovich,	Goldstein,	Meholchick,	Sherman,
Bazin,	Gramlich,	Metz,	Smith, C. C.,
Boles,	Guss,	Mihm,	Smith, Wm. B.,
Bonner,	Hamilton, R. K.,	Mikula,	Snider,
Boory,	Hass,	Mills,	Stank,
Bower,	Haudenshield,	Monroe,	Stebbins,
Branca,	Heavey,	Moody,	Stephens,
Breisch,	Henzel,	Moran,	Stevenson,
Brennan, A. P.,	Hocker,	Moscrip,	Stone,
Brennan, J. J.,	Holt,	Muldowney,	Stoner,
Brenninger,	Horst,	Mullen,	Strausser,
Breth,	Houk,	Munley,	Swartz,
Bucchin,	Jenkins,	Murphy,	Taylor,
Bullen,	Johnson,	Murray, H. P.,	Thomas,
Capano,	Jones, G. E.,	Murray, J. J.,	Toll,
Cianfrani,	Jump,	Musto,	Tompkins,
Cioffi,	Kamyk,	Naugle,	Toomey,
Cochran,	Kehler,	Needham,	Varallo,
Comer,	Kent,	Ogilvie,	Varner,
Curwood,	Knecht,	Olsen,	Vaughan,
Davis,	Kolankiewicz,	O'Neil,	Wall,
Donahue,	Kooker,	Pacchioli,	Wallace,
Donaldson,	Kornick,	Parry,	Walsh,
Dougherty,	Kratz,	Pashley,	Wargo,
Ehrgood,	Kromer,	Paulhamus,	Waterhouse,
Eilberg,	Kubacki,	Petrosky,	Weidner,
Erb,	Lawyer,	Pettigrew,	Welsh,
Eshleman,	Leiby,	Polaski,	Wescott,
Ewing,	Leisey,	Polen,	Whitenight,
Farabaugh,	Leonard,	Price,	Willaredt,
Filo,	Leven,	Pursley,	Williams,
Fineman,	Light,	Readinger,	Wood,
Flint,	Limper,	Reibman,	Worley,
Floyd,	Lopresti,	Reidenbach,	Yetter,
Flynn,	Lovett,	Renwick,	Yetzer,
Frank,	Lutty,	Rigby,	Ziegler,
			Andrews, Speaker

(During the call of the House)

Mr. WATERHOUSE. Mr. Speaker, may I inquire as to

whether the House is at ease at the present time?

The SPEAKER pro tempore. The House is not at ease. We are waiting the result of the roll call as to the presence of a quorum.

Mr. WATERHOUSE. Would it be in order to ask for leave of absence for a Member at this time?

The SPEAKER pro tempore. The gentleman would be in order.

Mr. ANDREWS. Mr. Speaker, I suggest that until the House has decided whether or not it desires to take any further proceedings under the call that is the only matter before the House and after that leaves of absence can be requested.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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The SPEAKER pro tempore. 174 Members having answered "present" to the call, a quorum is present and the House is ready to proceed with the business of the House.

Mr. ANDREWS. Mr. Speaker, I suggest to the respective Floor Leaders that they confer as to future proceedings under the call.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Sergeant-at-Arms will keep the doors closed. Members will not be permitted to leave and only Members or Officers of the House will be permitted to enter.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ANDREWS. Does the Majority Leader desire to move that further proceedings under the call be dispensed with?

The SPEAKER pro tempore. For the information of the gentleman, the Chair is informed that the Majority Leader will make that motion.

Mr. READINGER. Mr. Speaker, I move that further proceedings under the call of the House be dispensed with.

The motion was agreed to.

The SPEAKER pro tempore. The Sergeant-at-Arms will now open the doors of the House.

PERMISSION TO ADDRESS HOUSE

Mr. CHARLES C. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, at the start of this session, we continually asked the question: What are you up to and who are you trying to fool?

We have tried to find the answer to that question ever since, and now we have come to the conclusion that even some of you on the other side of the House don't know what you are up to. You are just as much in the dark as everybody else. The Governor is not telling you any more than he is telling the public.

Let us take the matter of how much money the State needs to operate during the next two years.

Last April Governor Leader said he would need approximately $520 million in additional money, tax money, for the general fund.

Then in August, after his wage tax was defeated, he made the statement that he needed approximately $460 million. Last week he said $456 million. And now, the Appropriation Committee has reported bills out saying that it will only need $445 million. It will probably in the next two or three months or the next week or next month,—we don't know how long we are going to stay here,—it will probably be down to $400 million.

Nobody seems to know on your side, from day to day, nor does the Governor, how much you are actually going to need.

A month ago Governor Leader said there wasn't a single dollar that could be cut in the budget. And he insisted on that in going over this state. Now, the Speaker of this House has made a suggestion, and has said that appropriations can be reduced by approximately $30 millions.

At least we Republicans have been consistent. We have said from the very beginning that Governor Leader was asking for $200 million too much tax money in his program.

Before the Governor's wage tax was defeated, and while he was still insisting that the Legislature give him $520 million in increased taxes, you reported out all of the appropriation bills, even though we told you time and time again that we would not vote for them. We took the position that we should not be asked to vote for apporpriations until we knew where the money was coming from.

We still don't know where the money is going to come from, but we today are going to vote to send the appropriation bills to the Senate. Why?

We are doing this, not because we have changed our minds. Far from that. We are even more determined than ever to give the people the economy in government that they the people are demanding.

We are voting to send these appropriations to the Senate so that they can be revised in a common sense and realistic manner. The Senate, the Republican Senate, has agreed to do that.

We are against blank check appropriations. We want to give the Republican majority in the Senate a chance to spell out exactly how much money is to be spent.

We would like to do it here, but you have the votes, and certainly any attempt on our part to amend these bills on the floor would be a pure waste of time.

Certainly it makes sense to first of all definitely find out how much money we are going to need in this state before we even consider a tax bill. And our Republican Senate has agreed to work on that principle and that basis so that we will not be taking one extra cent of tax money from the people of Pennsylvania more than we need.

We certainly cannot break this budget deadlock until these appropriations are in complete control of the Senate.

We feel that once the Senate makes the economies that the people of Pennsylvania demand, Governor Leader will then realize that he can no longer maintain his attitude and threaten to jeopardize our schools and our hospitals and our other essential state needs if so much money is not appropriated.

There certainly must be a compromise sometime, but there can never be a compromise as long as one party keeps insisting that he will never give up.

We know and you know that the Governor's budget is out of line. Facts have proven that.

We know and you know that he is asking for too much money. He himself has proven that.

We know and you know that when we propose an increase of approximately $165 million more than was spent in the last biennium, that we are proposing as big an increase as ever has been made in this state before. Just because the increase is less than Governor Leader wants does not mean that any state service is going to suffer. We can assure you of that.

That is just not true, no matter what the Governor says, or will try to convince the people of.

There will be substantial increases in what the Senate will propose for education, for mental health, for our colleges, our universities and our hospitals.

But there won't be extra millions for the building of a gigantic political machine.

We see no reason under the sun why we should give more money to run the departments of the state government than they have ever received before, especially after the Governor was elected to office by promising the people that he could do the job for $100 million less than the Republicans could do it.

We are going to pass those appropriations to-day, Mr. Speaker, we are going to supply the votes. We are going to supply the votes on your non-preferred appropriations which will affect our state aided hospitals, our colleges and our universities. We are going to supply 100 per cent of the votes by those on this side of the House. We have some differences on the preferred appropriations. There may be some individuals who might not vote for all of the bills. But there will be sufficient votes to pass the non-preferred appropriations which we understand need 140. That is the reason we have changed our position. Our attitude is exactly the same as it was. But, gentleman, we have to get to a position where we can solve this fiscal problem for the people of Pennsylvania. They are not only getting sick and tired of our staying here, we are getting sick and tired of it, the people want the matter solved and we feel that this is the way it has to be solved now. We feel a Republican Senate will have to make economies. They will send the bills back to the House and then it will be our decision in this House, yours and ours, to either support or turn those bills down. That is the reason, the basic reason, we are proposing to vote for these bills today.

INTERROGATION

Mr. LOVETT asked and obtained unanimous consent to interrogate the Minority Leader, Mr. Charles C. Smith.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the Minority Leader.

The SPEAKER pro tempore. Will the Minority Leader, the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. CHARLES C. SMITH. I shall Mr. Speaker.

Mr. LOVETT. Mr. Speaker, did I understand the gentleman to say that he feels now that the appropriation bills should be reduced in the Senate and will be reduced in the Senate?

Mr. CHARLES C. SMITH. I believe, Mr. Speaker, that sitting in the conference with the Governor, the Republican Senate has said they will compromise on supplying votes for some for tax bills if they met, the taxes that is, with the approval of the Republican Senate. But they said that their part of the compromise would mean one thing, that economies would have to be made in the recommendations in the Governor's budget, and that they desired the Governor himself to make those economies. They gave them to him in large round figures, they didn't break them down for him. When the appropriation bills are given to the Senate I believe, that a Republican Senate will suggest itemized budgetary items to make economies in the Governor's budget. Does that answer the gentleman's question?

Mr. LOVETT. The gentleman does not exactly answer my question. I would like to know whether or not he thinks these appropriations which are being made to the institutions for state services should be further reduced?

Mr. CHARLES C. SMITH. I can answer that only by saying this, Mr. Speaker, if the appropriations are for more money than is actually needed to give the people of Pennsylvania good services, yes, they should be reduced.

Mr. LOVETT. Does the gentleman feel that is true of these appropriations at this time, with the information that he now has?

Mr. CHARLES C. SMITH. I must say, Mr. Speaker, that we in the House have not gone into the great detail that the Senate has, although I must say that I feel in some cases that might be true.

Mr. LOVETT. May I further ask the gentleman if he feels that way at this particular time, if it was not a good idea on the part of the Majority Party to pass these bills over to the Senate months ago and allow the Senate to do the very thing that he says is going to be done?

Mr. CHARLES C. SMITH. Mr. Speaker, months ago when we made our decision there was no tax bill that had been voted on by the House. The tax bill was voted on by the House and was cast out of the window by a Republican Senate. At that time our stand was perfectly right. But certainly, Mr. Speaker, we can not stay here day in and day out and talk of a compromise, and talk of getting out of here for the benefit of the people of Pennsylvania, and solving our budgetary problems, if we don't take some action.

Mr. LOVETT. May I further ask the gentleman what difference it makes in regard to whether or not there was a tax program passed.

Mr. CHARLES C. SMITH. Well, Mr. Speaker, it made a big difference, in view of the fact that we didn't agree on the taxes and knew that we were not going to agree on the taxes, up until that time the Governor seemed to have forgotten one thing, that he now talks about. The Governor was taking a calculated risk and he lost. The Governor stood on this rostrum at the beginning of this session and talked bi-partisanship. From the very moment he stood there he tried to knock the brains out of the Republican party and he tried to blame everything he could on them, as far as deficits are concerned, and the Governor never, never once, until his tax program was licked and defeated, said "What do you gentlemen propose." That was the bi-partisan compromise. The Governor, as I say, took a calculated risk.

He knew on January 1st that he had a divided legislature and that was the time, if he wanted to be a

statesman and wanted to be a Governor of Pennsylvania for all of the people, he should have called the Republicans in, and we would be out of here by now. We would not have put through eight months of "politicking" and eight months of trying to make each other look bad. The Governor knew that then and he took the risk. He took his gamble and when he threw the dice he lost. After he lost then he was willing to bring in the Republicans to talk to him. He should have done that January 1st. Let me say to you, Mr. Speaker, and I don't say it because he called the Republicans in, but I do say this, that if he had acted in a true spirit of compromise, today we would be out of here and home, the people of Pennsylvania would have a tax program, they would have been satisfied with it, business would have been able to come into Pennsylvania and they would have known how they were going to be taxed. That is the difference eight months makes.

Mr. LOVETT. I thank the gentleman, Mr. Speaker and I want to say to the Membership of the House that in all fairness the Governor of Pennsylvania is the executive branch of the government and the Legislature is the legislative Branch of the government.

Therefore, I can not see any difference between passing these bills now and passing them months ago. If you allowed them to go to the Senate then you would have received the same action that you are going to receive now. So it is only a matter of delay for political purposes. In all fairness I don't believe in this political action. I think we should have passed them over to the Senate because that is where they have to go. That is where the decision will have to be made. They will come back to the House for our consideration. I think it was only a matter of delay on the part of the Minority side of this House that we didn't pass those bills at that time.

HOUSE BILLS NOS. 1599, 1673, 1639, 1635 AND 1629 MADE SPECIAL ORDERS

Mr. READINGER, Mr. Speaker, I move that

House Bill No. 1599, Printer's No. 657, on page 34
House Bill No. 1673, Printer's No. 916 on page 42
House Bill No. 1639, Printer's No. 914, on page 37
House Bill No. 1635, Printer's No. 914, on page 37 and
House Bill No. 1629, Printer's No. 672, on page 36, appropriation bills on third reading, be made a special order of business in that order immediately.

The SPEAKER pro tempore. The Chair lays before the House the Special Order of Business fixed for this time being House Bill No. 1599, Printer's No. 657 on page 34 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1599, as follows:

An Act to provide for the ordinary expenses of the Department of Public Instruction for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the Department of Public Instruction for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred fifty-five and for the payment of the bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

For the payment of the salary of the Superintendent of Public Instruction and for the payment of salaries wages or other compensation of deputy superintendents and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of one million six hundred forty thousand dollars ($1,640,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment and for the purchase of books maps charts manuscripts records exchanges pamphlets illustrations lantern slides periodicals parliamentary papers legal books and periodicals subscriptions to newspapers necessary for the proper conduct of the work of the department with resect to the State Library the sum of five hundred three thousand dollars ($503,000)

For the payment of salaries wages or other compensation of a deputy member and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to professional education and licensure and the professional examining boards and advisory committees within the department the sum of one million one hundred sixteen thousand dollars ($1,116,000)

Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to pre-professional professional education and licensure the professional examining boards and advisory committees within the department

For the payment of salaries wages or other compensation of members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Board of Censors the sum of two hundred thirty-five thousand dollars ($235,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in advising and coordinating the work of the Pennsylvania Federation of Junior Historians in the secondary schools of the Commonwealth the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages and other compensation of members and other employes for the payment of general expenses supplies printing equipment and the purchase of tests for the proper conduct of the work in the Department of Public Instruction with respect to the conduct of examinations for the evaluation of credentials issuance of preliminary education certificates and the determination evaluation and issuances of equivalent high school credits certificates or diplomas the sum of one hundred three thousand dollars ($103,000)

For the payment of salaries wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in public schools the sum of fifty-four thousand dollars ($54,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the acquisition of Federal surplus property and the distribution of such property to schools and other agencies authorized to receive it the sum of one hundred thousand dollars ($100,000)

And be it provided that moneys collected from schools and agencies to whom such property shall have been distributed covering cost of acquisition and handling shall be paid into the General Fund and credited to this appropriation and available for the purposes for which this apropriation has been made

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department and the State Board for Vocational Education in licensing and regulating private schools private

trade schools business schools and correspondence schools and classes the sum of one hundred fifty-eight thousand dollars ($158,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing large-type books for partially sighted children in the public schools the sum of thirty thousand dollars ($30,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing farm and home safety education through the schools and farm and home organizations in the Commonwealth the sum of twenty-nine thousand dollars ($29,000)

For the payment of the salaries general expenses supplies printing and equipment necessary for the purpose of revising the elementary secondary and vocational curricula in the public schools of the Commonwealth in accordance with the provisions of Act 551 approved July seventh one thousand nine hundred forty-seven (P. L. 1427) the sum of one hundred thousand dollars ($100,000)

All moneys collected from the sale of any publications issued pursuant to said act shall be paid into the General Fund and credited to the foregoing appropriation and are hereby appropriated for the same purposes in addition to the amount hereinbefore appropriated

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in accrediting facilities for the training of veterans the sum of eighty-six thousand dollars ($86,000)

Provided That $58,000 of the apropriation made by this paragraph shall be used by the department as working capital only and shall lapse at the end of the biennium in the full amount In addition all moneys collected from the Federal Government shall be credited to the appropriation made by this paragraph

For the payment of salaries wages printing supplies and general expenses necessary to carry out the provisions of the act aproved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patroitic purposes" the sum of twenty-five thousand seven hundred dollars ($25,700)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the Public School Employes Retirement Board the sum of six hundred twenty thousand dollars ($620,000)

For the payment of salaries wages postage printing and other necessary expenses incurred in the operation of speech and hearing rehabilitation centers as provided by law the sum of three hundred five thousand dollars ($305,000)

For the payment of expenses incurred in maintaining administering supervising and operating day care training centers for mentally handicapped children as provided by law the sum of two hundred thousand dollars ($200,000)

For the payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture and furnishings for the expenses of the boards of trustees and incidental expenses for the payment to fire companies of costs of fighting fires upon approval of the institution and the department and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges as may be authorized and approved by the Superintendent of Public Instruction the sum of fifteen million five hundred thousand dollars ($15,500,000) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State Teachers Colleges for the same purpose each college to receive from such appropriation the exact amount which was collected at said college during the said fiscal years

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and livestock for the payment of fire companies of costs of fighting fires upon approval of the institution and the department for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania	410,000
Scotland School for Veterans' Children at Scotland Pennsylvania	1,395,000
Thaddeus Stevens Trade School at Lancaster Pennsylvania	845,000

and in addition to said amount all income and all moneys collected at the Thaddeus Stevens Trade School shall be paid into the General Fund and shall be credited to the appropriation to the Thaddeus Stevens Trade School made by this paragraph

For the payment of salaries of the County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of three million four hundred one thousand five hundred dollars ($3,401,500)

For the payment of expenses of County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of two hundred ninety-seven thousand dollars ($297,000)

For the payment of expenses of members of county boards of school directors and the fees of their attorneys the sum of fifty-two thousand eight hundred dollars ($52,800)

For reimbursement to school districts for transportation of school children as required by law the sum of twenty-nine million seven hundred sixty-one thousand dollars ($29,761,000)

For aid to school districts that now maintain or shall cause to be established and maintained as part of the public school system vocational schools or departments schools for agricultural education industrial training home economics distributive occupations public service occupations and other vocational and practical education for the salaries wages and expenses of employes for general expenses supplies printing and equipment of vocational divisions and the payment to the Department of Property and Supplies of mileage for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe as provided by law the sum of three million three hundred thousand dollars ($3,300,000)

And be it provided That as much of this apropriation as can be made available may be expended with the Governor's approval in paying the cost of vocational training of qualified public assistance recipients or other unemployed to take definite employment which may be contingent upon such training

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in carrying out the School Lunch Program as provided by law the sum of two hundred five thousand dollars ($205,000)

For the cost of transportation investigation and necessary expenses involved in the education of blind children

as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of Schools of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of six hundred eighty-three thousand dollars ($683,000)

For reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for nonresident high school tuition and any other nonresident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of four hundred twenty-six million eight hundred forty thousand dollars ($426,840,000)

Provided That the Superintendent of Public Instruction with the aprpoval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

For special education including the payment of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction) of Pennsylvania pupils enrolled with the aproval of the Department of Public Instruction in schools or institutions for the blind or for the deaf or cerebral palsied under the supervision of or approved by the department in accordance with law and for readers helpers guides aids and appliances of such children in public schools also for cost of tuition and maintenance of mothers and their blind babies in schools approved by the Department of Public Instruction the sum of three million nine hundred fifty thousand dollars ($3,950,000)

For the payment of salaries wages general expenses printing supplies equipment fuel and incidental expenses and for all expenses of maintenance and operation for the proper conduct of the Public Service Institute including the Firemen's Training School at Lewistown the sum of two hundred ninety thousand dollars ($290,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary to make a survey of public school plant facilities in the Commonwealth the sum of thirteen thousand nine hundred dollars ($13,900) In addition all moneys received from the Federal Government under Public Law 815 of the 81st Congress for this purpose shall be credited to the appropriation made by this paragraph

For the payment into the School Employes' Retirement Fund to the credit of the Contingent Reserve Account of the School Employes' Retirement Fund as required by law the sum of thirty-two million four hundred sixty-five thousand dollars ($32,465,000)

For the payment into the School Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employes' Retirement Fund as required by law the sum of eight million fourteen thousand four hundred ninety-five dollars $(8,014,495)

For the payment of compensation to former teachers principals supervising principals or superintendents who agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interest as provided by law the sum of one hundred eighty-five thousand dollars ($185,000)

For the payment of increased retirement allowances to employes on retirement as of September 1 1949 the sum of two million one hundred thousand dollars ($2,100,000)

Section 2 No appropriation made by this act shall be available unless and until the Department of Public Instruction shall have complied with sections 604 605 and 606 of The Administrative Code

Section 3 The term "employes" as used in this act shall include all directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants

Section 4 The terms "general expenses" and "maintenance" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums on workmen's compensation insurance premiums on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MOSCRIP. Mr. Speaker, I desire to interrogate the sponsor of the bill and make a brief statement on the merits of the bill.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. MOSCRIP. Mr. Speaker, I would refresh the gentleman's memory that early in August I interrogated him relative to this bill. I would like to ask the gentleman, Mr. Speaker, whether any change was made in House Bill 1599 while it was in Committee?

Mr. POLEN. Mr. Speaker, there have been no changes in House Bill 1599 since it was recommitted.

Mr. MOSCRIP. Mr. Speaker, does that mean that the bill before us now is in the same form as when it was first reported out from the Appropriations Committee?

Mr. POLEN. It is, Mr. Speaker.

Mr. MOSCRIP. May I further ask the gentleman then, Mr. Speaker, are we still dealing with the sum of 426,840 odd dollars. Is that correct?

Mr. POLEN. No, I believe the amount is $535 million in this particular bill.

Mr. MOSCRIP. Mr. Speaker, I don't think I made my question clear to the gentleman. The sum that he and I were discussing in our last interrogation, I believe, was a total of $426,840,779 on a break down that the gentleman gave me. Can the gentleman tell me, please, if that figure still is accurate?

Mr. POLEN. Mr. Speaker, that is the amount that was in the budget and in the bill for instruction, and the amount is the same.

Mr. MOSCRIP. I would ask the gentleman, Mr. Speaker, does the amount appropriated for subsidies on the basis of teaching units in this bill contemplate any increase in teachers' salaries over and above the increments mandated by existing law?

Mr. POLEN. It does not, Mr. Speaker.

Mr. MOSCRIP. I would further ask, does House Bill 1599 represent all of the funds proposed to be appropriated for the ordinary expenses in the Department of Public Instruction?

Mr. POLEN. It does, Mr. Speaker.

Mr. MOSCRIP. I would further ask, Mr. Speaker, is the gentleman familiar in a general way with the provisions of House Bills 583 and 584?

Mr. POLEN. In a general way I am, Mr. Speaker.

Mr. MOSCRIP. I would further ask then if these bills are subsequently passed, would additional appropriations be required to implement them?

Mr. POLEN. Additional appropriations would be required, Mr. Speaker.

Mr. MOSCRIP. I would further ask if the gentleman is prepared to tell us at this time whether the passing of 1599 today means that we will have no salary increase for our teachers at this session of the Legislature?

Mr. POLEN. Mr. Speaker, I could not answer that question other than to say that if the House and Senate pass the two bills that were referred to by the gentleman, we then, of course, would have to provide the money for the increases that are in the companion bills to the salary increase bill.

Mr. MOSCRIP. I would suggest to the gentleman if such action were contemplated it would probably be a lot more logical and convenient if it were done prior to the passage of this act here, would it not?

Mr. POLEN. Mr. Speaker, I believe that the passage of the two bills referred to would cost millions of dollars. I believe they should be deferred until such a time as we provide the money to pay for the obligations we have already assumed and that are in the present budget and in the bill that we are discussing.

Mr. MOSCRIP. I thank the gentleman.

Mr. Speaker, I would like to pose a few questions and make a few remarks on the merits of this bill as briefly as possible.

As I stated the other day when I rose on this same question, it was my hope when this bill went back into Committee that provision would be made for teacher's salaries. I can appreciate the gentleman's position and his answers to my questions about House Bills 583 and 584, but I think it is entirely logical now for us to assume that there will be no teachers' salary increase this session. It would appear that none was ever intended because House Bill 1599 as originally drawn carried no provision for additional teachers' salaries.

I am particularly concerned about this, Mr. Speaker, because it is a serious social setback for our children of school age, as it is readily apparent that our school teacher supply system is in very bad shape. Anyone acquainted with the securing of teachers can tell you that we are in a seller's market, we are being pinched from two ends with the scarity of teachers and a constant increase in our school population.

It would seem to me that the money for this could be well spent. We are appropriating millions of dollars, and we do every session, for relief, welfare and health, for problems such as unemployment compensation and for fair employment practices. I do not mean to imply that these are not worthy subjects, they are, but they are aimed to cure a great many problems which we could eliminate through proper education. I wonder if we are not being a little uneconomical if we are going to continue to try to meet these problems at the adult stage of a person's life and gloss over our educational system, when in a couple of generations, perhaps, we could eliminate a great many of them through proper education and thereby reduce the appropriations we make every session for these various fields.

I am so concerned about this question that it has raised a serious problem in my mind how I should vote on this bill. I felt it was sufficiently important at one time that perhaps I would vote against the bill if it did not provide for any salary increase. However, I have now decided to take the position that half a loaf is better than none.

There are a great many commendable features in this bill and with that understanding, I intend to vote for it.

Mr. POLEN. Mr. Speaker, I am in thorough sympathy with the position of the gentleman from Bradford, Mr. Moscrip. We must have an adequate salary schedule in Pennsylvania for our teachers, but I believe our first obligation is to provide the funds to pay for the increases and the increments that we have already granted.

I do not in any way rule out that increases could be granted and consideration given to the two bills referred to, but I think first it is our duty to provide the funds to pay the bills which we have already assumed and for which we have not provided funds.

My own position on the question of teachers' salaries I think is a public record. During my first term in the House I sponsored House Bill 277, which resulted in the first increase in the fourth class district teachers' salaries in twenty years and gave them the first increments that they had ever received. I have supported all legislation granting higher salaries and better conditions for teachers, and I think the Democratic Party, who gave the teachers of Pennsylvania the Teachers Tenure Act, has also supported that position.

We are down to hard, cold facts. Previous sessions of this Legislature, and I voted for these bills, have given benefits and increases to the teachers of Pennsylvania and provided companion bills to help in the reimbursement to local school districts.

I reiterate that it is our first duty to vote and pass a tax program to pay those bills and I feel sure sympathetic consideration will and can be given to further increases for teachers after we have the funds to pay the bill. I think that is a necessity and it would be silly to pass these bills and increase this budget when we do not have the funds available to pay for what has been mandated.

Mr. MOSCRIP. Mr. Speaker, I would like to reply briefly to the gentleman.

I can see the logic of his argument. The only difficulty is that we were led to believe through the platform and the campaign of his own party, and even in some of the speeches that were made on the floor in justification of the income tax program, that one of the main aims of his party was to increase our educational facilities

to raise teachers' salaries, and stop these over-state-line raids on our teachers.

Of course, it is up to him to determine the priority and the importance of these commitments.

Mr. GARLOCK. Mr. Speaker, I would like to interrogate the sponsor of this bill, Mr. Polen, and also ask permission to make a brief statement.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. GARLOCK. Mr. Speaker, it is my understanding that this bill includes an appropriation for the Thaddeus Stephens Trade School. Is that correct?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. GARLOCK. Mr. Speaker, could the gentleman tell me what the amount of that appropriation is?

Mr. POLEN. Mr. Speaker, I believe it is—if the gentleman will give me a minute, I will get the information.

Mr. Speaker, it includes $45,000 for the Thaddeus Stephens Training School.

Mr. GARLOCK. Mr. Speaker, can the gentleman tell me, is the Thaddeus Stephens Trade School supposed to be operated principally for the admission of orphans, half-orphans and poor children in general?

Mr. POLEN. I believe that is correct, Mr. Speaker

Mr. GARLOCK, Mr. Speaker, I wish to state my reasons for my vote on this bill. I am going to vote "no" on this bill and I wish to state my reasons.

My reasons are that this bill includes an appropriation of $45,000 for the Thaddeus Stephens Trade School. The school is operated under the pretense of being a school for orphans, first, secondly, for half-orphans, third, for poor people, for people of poor families at large.

My understanding of the definition of poor people at large are people with little or no means at all During the last five or six years of the people that have been admitted to this school that I know of, there have been none of them orphans. The bulk of them came from families with both the father and mother working. In my thinking, that is not what the school is supposed to be operated for.

Therefore, I cannot vote for an appropriation to support a school that is operating under false pretenses.

Mr. AUKER. Mr. Speaker, I should like to interrogate Mr. McCann from Greene County, the Chairman of the Education Committee.

The SPEAKER pro tempore. Will the gentleman from Greene County, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I should like to ask the gentleman if House Bills 583 and 584 are not now in his Committee?

Mr. McCANN. They are, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I should like to ask the gentleman about how long they have been in that Committee?

Mr. McCANN. Very likely since the period of either April or May, Mr. Speaker. I am not sure of the exact date, The House index carries it.

Mr. AUKER. Mr. Speaker, I should like to ask the gentleman, so that the membership of the House may know about what we are talking, if House Bill 583 does not provide for setting the minimum salary of school teachers at $3,000 in Pennsylvania, providing an immediate salary adjustment of $400 for all teachers and professional employes in 1955 and 1956, in addition to any increments to which they are entitled, and also to provide an additional increase of $200 for classroom teachers of ten or more year's experience?

Mr. McCANN. Mr. Speaker, House Bill 583 does that as well as some other items which he failed to mention. Basically those are all correct.

Mr. AUKER. Mr. Speaker, I should like to ask the gentleman whether or not House Bill 584 is not the bill which sets up the subsidy payments by the state to the local school districts to cary out the purpose of House Bill 583?

Mr. McCANN. It does exactly that, Mr. Speaker.

Mr. AUKER. Mr. Speaker, can the gentleman quote me any figures as to about how much this entire program will cost?

Mr. McCANN. Mr. Speaker, the Department of Public Instruction tells me, and I believe Mr. Young on the Minority side has the same figures, that the increments at the present time amount to $50,100 roughly, the administrative personnel approximately $2,000, constituting in the neighborhood of $53,000 under increments, and when we talked of the entire number under House Bill 583 we used the mathematical figure of $65,000, which in turn under the bills comes in the neighborhood, when you boil it right down, of between $72 to $78 million in House Bills 583 and 584 as now written, this is, in round figures. I actually can bring it down, it would take a week's work on the report, but I can bring it down to actual dollars and cents, but just in round figures it is in that neighborhood.

Mr. AUKER. Mr. Speaker, I am willing to accept the gentleman's figures of approximately $72 million, or something slightly in excess of that, to carry out the provisions of these two bills.

Now, Mr. Speaker, I would like to ask the gentleman if from his experience in the educational field and as Chairman of the Education Committee whether or not he does not consider that these two bills are practically mandatory for this session of the Legislature to pass in order that Pennslyvania may have the benefit of competent school teachers for our school children in Pennslyvania second to none in the union.

Mr. McCANN. Mr. Speaker, being a man who has always believed in good sound educational policies, truthfully I will tell you it is not even enough as it is.

Mr. AUKER. Mr. Speaker, can the gentleman now answer me whether or not, without violating any confidence, which I would not ask him to do, there have been any talks between him and the adminstration as to whether or not these bill will come out of Committee?

Mr. McCANN. Mr. Speaker, I have talked many times about these bills both with the Governor and the Budget Director, and everyone else connected with education, as well as those who must vote for and provide the money. He knows as well as I do, and as every one in this House knows, that we are trying to meet that very problem, particularly when we realize what the neighboring states that border Pennsylvania have set into their scale laws regarding teaching units and teacher's salaries.

Mr. AUKER. Mr. Speaker, the gentleman has not quite answered my question, so I will have to come back at him.

Has there been any indication from the administration that these bills will come out of Committee? Can he tell me that without violating a confidence?

POINT OF ORDER

Mr. SHERMAN. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SHERMAN. Mr. Speaker, we are not now discussing those two bills. I think all remarks should be stricken from the record with reference to those two bills.

Mr. AUKER. Mr. Speaker, in reply to the gentleman's point of order I respectfully submit that we are speaking on and debating House Bill 1599. Everything that I have put into my question is pointing to debate on that bill and it will later come out.

The SPEAKER pro tempore. The question before the House is on House Bill 1599, Printer's No. 657. The debate will be confined to that bill.

The gentlemen will proceed.

Mr. AUKER. Mr. Speaker, I should like to ask the gentleman whether or not these two bills are not of necessity related to any appropriations made in the public school education bill which we are now considering?

Mr. McCANN. They are not, Mr. Speaker.

Mr. AUKER. Mr. Speaker, may I ask the gentleman then, if they are not appropriated in this bill, how the appropriations would come about if these bills would come out of Committee?

Mr. McCANN. Separate bills, Mr, Speaker, and a separate appropriation bill to take care of House Bill 584 which calls for the money to be given to the school districts to reimburse the teaching unit.

Mr. AUKER. Mr. Speaker, I would further like to ask the gentleman then in view of the —

POINT OF ORDER

Mr. SHERMAN. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. AUKER. I would like to warn the gentleman, Mr. Speaker, if he wants to keep it up there is more than one way to twist a cat's tail.

POINT OF ORDER

Mr. SHERMAN. I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SHERMAN. Mr. Speaker, I ask the gentlemen to confine themselves to House Bill 1599. It has been specifically stated that the other two bills are not part of 1599.

The SPEAKER pro tempore. The gentlemen will confine themselves to the question before the House, which is House Bill 1599, Printer's No. 657.

The gentleman will proceed.

Mr. AUKER. Mr. Speaker, I again submit that I am talking on House Bill 1599, because House Bill 1599, we contend, does not carry enough appropriations to properly take care of the public school education requirements in this state. That is the point I am getting at in my interrogation.

I should like to interrogate the gentleman from Washington, Mr. Polen.

I thank the gentleman from Greene, Mr, McCann.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himslef to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I ask the gentleman from Washington, if the moneys are not provided for in 1599, or this bill amended to provide for the revenues that would be necessary to carry out the provisions of House Bills 583 and 584, just how they would be carried out if they are not provided for in this bill?

Mr. POLEN. Mr. Speaker, the funds provided for in House Bill 1599 are to take care of existing legislation and in the amounts that are now on the statute books. They do not anticipate any bills that might be passed in the future. They would of necessity require additional appropriations.

Mr. AUKER. Mr. Speaker, I might ask the gentleman from Washington, the administration leader, if the administration does not anticipate additional appropriations being needed to take care of the educational requirements of the state?

Mr. POLEN. Mr. Speaker, I would say that the administration, from the Governor down, is very sympathetic and knows very well the need for legislation to improve teachers' salaries in Pennsylvania. However, I believe I have stated before that this is a matter which is not for determination at this time until we have provided the money to finance the mandated increments that are now on the statute books.

Mr. AUKER. I should like to further interrogate the gentleman, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be further interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I should like to ask the gentleman then if the interests of the administration in public school education and keeping the requirements of our own public schools system up in comparison with other states is not of sufficient height that it should be embodied in this one bill, this being the bill that provides for subsidies for teachers in the state?

Mr. POLEN. Mr. Speaker, that is a very difficult question to answer, but I would say, although I am not the spokesman for the administration, that they do have a very deep interest in the educational program in Pennsylvania, and I feel that every consideration will be given to the bill to which the gentleman refers.

Mr. AUKER. Mr. Speaker, I should like to further ask the gentleman how much foundation we have to believe that the administration is sufficiently interested that they will bring out these other bills and pass the appropriation bills necessary to carry them out?

Mr. POLEN. Mr. Speaker, I will answer the gentleman by stating that if we can get a tax program through that will provide the funds to pay for the mandated increases that we now have on the statute books and provide additional money to take care of the bills he refers to, I feel certain that the administration will give them their backing.

Mr. AUKER. Mr. Speaker, I should like to ask the

gentleman whether it is not more important that we pass the bills that are necessary and the appropriations necessary to do it, than to pass the tax bills to meet that requirement?

Mr. POLEN. Mr. Speaker, on that question the policy that the gentleman on the other side has been following is to the contrary. However, it would be a question of policy whether we should increase and pass bills that would cost $75 to $80 millions. Seems to me that it would be poor policy to do that now when we have not provided for the obligations that we are duty bound to pay.

Mr. AUKER. Mr. Speaker, I should like to clarify the gentleman's remarks as to our stand on appropriation bills. We are now in the position that we are passing appropriation bills to find out how much the state does need and actually needs, and I say that this is one of the requirements that the state does actually need—

The SPEAKER pro tempore. Will the gentleman yield? Has the gentleman completed his interrogation of the gentleman from Washington, Mr. Polen?

Mr. AUKER. Not yet, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. AUKER. —does actually need and that these appropriations should be in this bill as being necessary. We are passing appropriation bills to find out how much the state does need, then we are going to raise the taxes to meet that amount. That is the proper way to balance and budget.

Mr. Speaker, I would like to further ask the gentleman whether or not in the present budget as submitted there could be any funds allocated from any other—

POINT OF ORDER

Mr. SHERMAN. I rise to a point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SHERMAN. Mr. Speaker, again the gentleman is not interrogating the gentleman from this side. I think he has not finished his interrogation, but instead he is making a speech and I do object to a speech.

Mr. AUKER. I have one more question, Mr. Speaker, that I would like to ask the gentleman, then I am through with my interrogation.

The SPEAKER pro tempore. The Chair suggests that the gentleman confine his remarks and his interrogation to the bill before the House and that he limit his interrogation, as he says, to one more question.

Will the gentleman from Washington permit himself to be further interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. AUKER. I will take the lawyer's way about it then, Mr. Speaker.

Since the appropriations for these increases which would be necessary under House Bills 583 and 584 are not in House Bill 1599, that brings this bill squarely into the question; is there any way that allocations could be made out of the present budget, as submitted to the Education Department to pay the moneys that would be necessary to carry out the provisions of 583 and 584 without a special appropriation bill being passed to do so?

Mr. POLEN. Mr. Speaker, it would be impossible to pay out of the present budget the amounts required by the passage of the two bills referred to.

Mr. AUKER. I thank the gentleman, Mr. Speaker.

Mr. POLEN. Mr. Speaker, I would like to correct a statement I made in answer to the interrogation of the gentleman from Fulton, Mr. Garlock.

He asked the question as to the amount that was in House Bill 1599 for the Thaddeus Stevens Training School, and I replied $45,000. I was relying upon information given me by the Majority Leader, whose eyesight was not quite as good as it should have been, and I would like to correct that amount to $845,000. Mr. Readinger said that the "8" looked like a dollar mark.

Mr. GARLOCK. Mr. Speaker, I would like to ask all the Members on both sides of the House to help defeat this bill inasmuch as it carries that much of an appropriation because, as I said before, it is definitely a school that is operating under false pretenses.

I have had occasion to have two orphan boys turned down, half-orphans, by this school when they are accepting pupils who come from fairly well-to-do families.

I would plead with the House to defeat this bill, at least until such time as we can take this appropriation out of the bill.

Mr. KNECHT. Mr. Speaker, as a school director for about thirty years and a former school teacher who began his teaching at a salary of $50 per month for eight months of the year, I have always been very sympathetic to the school teachers, who are underpaid. It has been a source of great disappointment to me that this budget and this bill make no provision for increases in the salaries of the teachers other than the mandatory increments of former Legislatures.

As a director in a small community, we have seen our teachers migrating to the larger and more wealthy districts because of the attractive salaries that those districts have been able to offer them. The small districts have suffered considerably in having these more experienced teachers lost to the more wealthy districts.

We have seen our taxes rise year after year until the maximum allowed by law has been reached, and still we have been able to pay only the minimum salaries that the law provides. That has seriously crippled our endeavors to provide for our children the services that every child in the Commonwealth is entitled to have.

I feel it has been a very serious mistake and we are thinking too much in terms of dollars and cents and taxes and not enough in terms of the welfare of the children of this Commonwealth. The local school districts can no longer continue to keep up the increases in salaries in the smaller districts. The question of increasing those salaries is one that devolves upon the state, and if the state falls down in that then we in the rural districts are going to suffer greatly in our educational endeavors.

I was very hopeful that the bills which would provide for the $400 increments and the companion tax bill would have been brought out of Committee. I am going to go along on this measure, but I certainly hope these other bills will be brought out. I for one will certainly vote for any increase in taxes needed to meet that $400 additional salary to the teachers.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam.	Frascella,	Mahan,	Rovansek,
Agnew,	Frost,	Maxwell,	Royer,
Amarando,	Gaffney,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boies,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews, Speaker

NAYS—1

Garlock,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair lays before the House the Special Order of Business fixed for this time being House Bill No. 1673, Printer's No. 916, on page 42 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1673 as follows:

An Act to provide for the ordinary expenses of the Department of Welfare for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the Department of Welfare for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred fifty-five and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

To the Department of Welfare

For the payment of the salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of two million six hundred fifty thousand dollars ($2,650,000)

For the payment of salaries wages or other compensation of employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind for improvement of the condition of the blind by supplying where not otherwise available home instruction and training for the adult blind in the reading and writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social wellbeing and in such other fields of endeavor as may be considered appropriate and beneficial and for medical treatment surgical operations eye glasses and other necessary aids or services including transportation for needy blind persons with impaired vision and for meeting any additional expenses necessary and for the payment of salaries wages general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind in supplying to the adult vocational training in such fields as are commensurate with their capacities and which will lead to remunerative employment with seeing workers in providing for their employment and placement in industry business and the professions in obtaining the required medical service for such training and placement and in meeting expenses necessary and proper in the administration of this program the sum of one million five hundred thirty-seven thousand six hundred forty dollars ($1,537,640) and in addition to this amount moneys received from the United States Government or from any other source as contributions for this program shall be paid into the General Fund and credited to this appropriation

For the payment of salaries wages or other compensation of the superintendent and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and livestock for expenses of boards of trustees and incidental expenses for the payment of gratuities clothing parole expenses for the payment to fire companies of costs of fighting fires upon approval of the institution and the department and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Training School at Morganza and for the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to land for the purchase of equipment furniture furnishings and livestock for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Fairview State Hospital at Fairview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at

Philadelphia the Wernersville State Hospital at Wernersville the Embreeville State Hospital at Embreeville the Hollidaysburg State Hospital at Hollidaysburg the Mayview State Hospital at Mayview the Somerset State Hospital at Somerset the Woodville State Hospital at Woodville the Clarks Summit State Hospital at Clarks Summit the Retreat State Hospital at Retreat the Dixmont State Hospital at Dixmont and any other institution established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare for the payment of all expenses of the department in deporting to their states of residence persons committed to State mental institutions who may hold residence in other states for the purchase from publicly or privately operated nonsectarian hospitals at a cost not exceeding five dollars and fifty cents ($5.50) per day of psychiatric treatment and maintenance of mentally ill persons admitted to such hospitals who are entitled to free service for such periods per person as the Department of Welfare may approve and for assisting such hospitals to establish facilities for the care and treatment of the mentally ill such assistance to be limited to one thousand five hundred dollars ($1,500) per bed provided for the payment of the necessary expenses of boarding out mental patients in accordance with Act 257 approved July 12 1935 (P. L. 679) and for the establishment and maintenance of psychiatric clinics for the establishment of diagnostic clinics and treatment centers in general hospitals for the reimbursement to counties and private non-sectarian agencies for care treatment and reeducation of children and adults in private and public institutions and foster homes for the establishment of diagnostic classification and assignment centers facilities and programs for the mentally ill and the mentally deficient and juvenile delinquents for research and training in existing state-owned and state-aided institutions under the regulations of the department and for the payment of salaries wages or other compensation of the superientendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and livestock for expenses of the board of trustees and incidental expenses for the maintenance of patients in private institutions at such rates as are established by the Department of Welfare for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of one hundred thirty-seven million five hundred thousand dollars ($137,500,00) in addition to this amount the following shall be paid into the General Fund and credited to the proper allocation within this appropriation (1) all moneys received from the United States Government or from any other source as contributions toward the establishment and maintenance of psychiatric clinics and (2) all moneys received from political subdivisions in payment for services and facilities required to be furnished by the State-owned Mental Hospitals to institutions operated by such political subdivisions

For the payment of salaries wages or other compensation of the superientendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of fifteen million four hundred thousand dollars ($15,400,000)

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture and furnishings for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Eastern Pennsylvania Psychiatric Institute the sum of three million seven hundred twenty-six thousand dollars ($3,726,000)

Section 2 No appropriation made by this act shall be available unless and until the Department of Welfare shall have complied with sections 604 605 and 606 of The Administration Code

Section 3 The term "'employes" as used in this act shall include all directors superientendents bureau or division chiefs assistant directors assistant superientendents assistant chiefs experts scientists engineers surveyors draftmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants

Section 4 The term "general expenses" and "maintenance" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums on workmen's compensation insurance premium on policies of liability insurance covering the operation of permanetly assigned automobiles premiums on surety bonds the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of service incurred through the Purchasing Fund

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Muldowney,	Stoner,
Brennan, J. J.,	Holt,	Mullen,	Strausser,
Brenninger,	Horst,	Munley,	Swartz,
Breth,	Houk,	Murphy,	Taylor,
Bucchin,	Jenkins,	Murray, H. P.,	Thomas,
Bullen,	Johnson,	Murray, J. J.,	Toll,
Capano,	Jones, G. E.,	Musto,	Toomey,
Cianfrani,	Jump,	Naugle,	Varallo,
Cioffi,	Kamyk,	Needham,	Varner,
Cochran,	Kehler,	Ogilvie,	Vaughan,
Comer,	Kent,	Olsen,	Wall,
Curwood,	Knecht,	O'Neil,	Wallace,
Davis,	Kolankiewicz,	Pacchioli,	Walsh,
Donahue,	Kooker,	Parry,	Wargo,

Donaldson,	Kornick,	Pashley,	Waterhouse,
Dougherty,	Kratz,	Paulhamus,	Weidner,
Ehrgood,	Kromer,	Petrosky,	Welsh,
Eilberg,	Kubacki	Pettigrew,	Wescott,
Erb,	Lawyer,	Polaski,	Whitenight,
Eshleman,	Leiby,	Polen,	Willaredt,
Ewing,	Leisey,	Price,	Williams,
Farabaugh,	Leonard,	Pursley,	Wood,
Filo,	Leven,	Readinger,	Worley,
Fineman,	Light,	Reibman,	Yetter,
Flint,	Limper,	Reidenbach,	Yetzer,
Floyd,	Lopresti,	Renwick,	Ziegler,
Flynn,	Lovett,	Rigby,	Andrews,
Frank,	Lutty,	Rosen,	Speaker

NAYS—2

Moscrip,	Tompkins,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair lays before the House the Special Order of Business fixed for this time, being House Bill No. 1639, Printer's No. 915, on page 37 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1639, as follows:

An Act making appropriations to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-five and limiting the amount thereof available for administrative expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million five hundred thirty thousand dollars ($1,530,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of the salary of the Secretary and for the payment of the salaries wages or other compensation of a deputy secretary and other employes for payment to the State Civil Service Commission for services rendered and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

Section 2 The sum of ninety-nine million four hundred seventy thousand dollars ($99,470,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necesasry for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and administrative expenses attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-five

Section 3 Out of the moneys appropriated by section two of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind aid to the disabled general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 4 Out of the moneys appropriated by section two of this act quarterly allocations shall be made to the Department of Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocation shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives Secretary of Public Assistance and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representativs Secretary of Public Assistance and the State Treasurer or a majority thereof

Section 5 Out of the moneys appropriated by section two of this act the Department of Public Assistance shall allocate funds from time to time to provide necessary medical dental and surgical care for children as provided in the act of July 5, 1947 (Pamphlet Laws 1301) Provided however That during the biennium beginning the first day of June one thousand nine hundred fifty-five not more than one million dollars ($1,000,000) shall be spent by the Department of Public Assistance to provide such necessary medical dental or surgical care Provided however That if the receipt of Federal funds is delayed during the month of May one thousand nine hundred fifty-five for the payment of assistance and administrative expenses as provided by the Public Assistance Law there is hereby appropriated out of the moneys apporpriated by section one of this act sufficient moneys to meet the deficiency caused by the delay in the receipt of Federal funds

Section 6 Out of moneys appropriated by section two of this act not over one-half of one per centum thereof may be used under the direction of the Governor for surveys investigations and studies relative to the more efficient enforcement of the public assistance law

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MOSCRIP. Mr. Speaker, this bill is what is commonly known as the relief appropriation fund which each biennium is a large amount. As we all know, vast sums have been spent for relief. It is my considered opinion, Mr. Speaker, that there is a tremendous amount of duplication and waste in the way that this money has been administered. I am frank and honest enough to admit that my party has not been faultless in this particular feature.

This is one of the points I raised a few moments ago when I was on the floor of this House, the money that

can be cut out of this fund can be used to much better advantage if put into our schools to teach this coming generation to work with their hands and be self-supporting.

There has been very much said in the papers lately, as you have been reading, about the membership of these boards. I would simply make this suggestion, that the administration in handling this money be as careful about judging the actual needs of the recipients of relief as they have been about the political affiliations of the local relief boards.

I would suggest further that our liaison man from the executive branch be used at Washington not to secure more money for relief, but to work with them to see in what way money can be saved and to secure their cooperation on a grant in aid basis.

Mr. Speaker, I am fully aware of the criticism that can be levelled against me by some of the more enthusiastic supporters to the effect that because I am standing here I want to see people starve. That is far from the truth, but I do not believe, and a lot of the rest of us do not believe, this thing should reach the point where we put a premium on idleness. It is my opinion that if we have not already arrived there, we are very close.

For these reasons I intend to oppose this bill.

Mr. AUKER. I would like to interrogate the gentleman from Washington, Mr. Polen, very briefly.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated very briefly?

Mr. POLEN. I shall, Mr. Speaker, very briefly.

Mr. AUKER. Mr. Speaker, I should like to ask the gentleman if it is correct that this bill carries $99,470,000 for the biennium? Is that correct?

Mr. POLEN. Mr. Speaker, this particular bill at this time carries that amount. It is not the amount, however, that is budgeted, because we have previously passed two stop-gap appropriation bills for public assistance of $15 million each. So to the total cost of the Department of Public Assistance should be added the $30 million which we deducted from this bill.

Mr. AUKER. Mr. Speaker, then I should like to ask this gentleman if that would not make the total appropriation for public assistance $129,470,000 for the present biennium?

Mr. POLEN. Mr. Speaker, in answer to the gentleman's question I would say that the original amount requested in the budget by the Budget Director for the Governor was $138 million. The Committee on Appropriations reduced that amount by $7 million to $131 million, and I believe there is some adjustment in there that accounts for the odd dollars.

Mr. AUKER. Then the total appropriation would be in the neighborhood of $131 million, is that correct, Mr. Speaker?

Mr. POLEN. That is correct, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frost,	Maxwell,	Rubin,
Agnew,	Gaffney,	McCann,	Rudisill,
Amarando,	Garlock,	McCormack,	Sarraf,
Anderson, M. S.,	Gelfand,	McGee,	Scarcelli,
Anderson, S. A.,	George,	McLaughlin,	Schuster,
Ashton,	Gibb,	McWherter,	Sherman,
Auker,	Gibson,	Meholchick,	Smith, C. C.,
Banker,	Goldstein,	Metz,	Smith, Wm. B.,
Barnatovich,	Gramlich,	Mihm,	Snider,
Bazin,	Guss,	Mikula,	Stank,
Boies,	Hamilton, R. K.,	Mills,	Stebbins,
Bonner,	Hass,	Monroe,	Stephens,
Boory,	Haudenshield,	Moody,	Stevenson,
Bower,	Heavey,	Moran,	Stone,
Branca,	Henzel,	Muldowney,	Stoner,
Breisch,	Hocker,	Mullen,	Strausser,
Brennan, A. P.,	Holt,	Munley,	Swartz,
Brennan, J. J.,	Horst,	Murphy,	Taylor,
Brenninger,	Houk,	Murray, H. P.,	Thomas,
Breth,	Jenkins,	Murray, J. J.,	Toll,
Bucchin,	Johnson,	Musto,	Tompkins,
Bullen,	Jones, G. E.,	Naugle,	Toomey,
Capano,	Jump,	Needham,	Varallo,
Cianfrani,	Kamyk,	Ogilvie,	Varner,
Cioffi,	Kehler,	Olsen,	Vaughan,
Cochran,	Kent,	O'Neil,	Wall,
Comer,	Knecht,	Pacchioli,	Wallace,
Curwood,	Kolankiewicz,	Parry,	Walsh,
Davis,	Kooker,	Pashley,	Wargo,
Donahue,	Kornick,	Paulhamus,	Waterhouse,
Donaldson,	Kratz,	Petrosky,	Weidner,
Dougherty,	Kromer,	Pettigrew,	Welsh,
Ehrgood,	Kubacki	Polaski,	Wescott,
Eilberg,	Lawyer,	Polen,	Whitenight,
Erb,	Leiby,	Price,	Willaredt,
Eshleman,	Leisey,	Pursley,	Williams,
Ewing,	Leonard,	Readinger,	Wood,
Farabaugh,	Leven,	Reibman,	Worley,
Filo,	Light,	Reidenbach,	Yetter,
Fineman,	Limper,	Renwick,	Yetzer,
Flint,	Lopresti,	Rigby,	Ziegler,
Floyd,	Lovett,	Rosen,	Andrews,
Flynn,	Lutty,	Rovansek,	Speaker
Frank,	Magee,	Royer,	
Frascella,	Mahan,		

NAYS—1

Moscrip,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair lays before the House the Special Order of Business fixed for this time, being House Bill No. 1635, Printer's No. 914, on page 37 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1635 as follows:

An Act to provide for the ordinary expenses of the Department of Health for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the Department of Health for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred fifty-five and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

To the Department of Health

For the payment of the salary of the Secretary of Health and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board and other boards the sum of nine million nine hundred thousand dollars ($9,900,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting cancer research the study of facilities and the dissemination of information as to diagnosis and treatment of cancer the sum of two hundred sixty-five thousand one hundred dollars ($265,100)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting prevention care diagnosis and treatment of rheumatic fever and rheumatic heart disease the sum of two hundred fifty-seven thousand two hundred dollars ($257,200)

For the payment of salaries wages fees supplies printing equipment and other expenses necessary for the operation of the Division of Alcoholic Studies and Rehabilitation the sum of seven hundred forty-eight thousand eight hundred fifty-two dollars and four cents ($748,852.04)

For the payment of salaries wages general expenses supplies printing and equipment required by the department to provide care diagnosis treatment and study of the disease of cerebral palsy of Saint Christopher's Hospital Philadelphia Pennsylvania the sum of one hundred thousand dollars ($100,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting control procedures for the reduction of morbidity and mortality from chronic diseases such as heart disease arteriosclerosis and diabetes the sum of six hundred thousand dollars ($600,000)

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and livestock for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for incidental expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the Mont Alto Sanatorium at Mont Alto the Cresson Sanatorium at Cresson the Hamburg Sanatorium at Hamburg the Philadelphia Sanatorium at Philadelphia (Lankenau) the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopedic work of the department and for the purchase of braces jackets artificial limbs and crutches the sum of seventeen million dollars ($17,000,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in administering the "School Health Act" the sum of nine million three hundred eighty-eight thousand nine hundred dollars ($9,388,900)

For the payment by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) and the act approved the twentieth day of August one thousand nine hundred fifty-three (P. L. 1217) the sum of three million two hundred thousand dollars ($3,200,000)

For the payment of State matching funds to carry out the provisions of the Local Health Administration Law with respect to State grants to county departments of health and to cities eligible for such grants the sum of two million one hundred forty-eight thousand one hundred eighty-seven dollars ($2,148,187)

Section 2 No appropriation made by this act shall be available unless and until the Department of Health shall have complied with sections 604 605 and 606 of The Administrative Code

Section 3 The term "Employe" as used in this act shall include all directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants

Section 4 The terms "general expenses" and "maintenance" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums on workmen's compensation insurance premium on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund

And said bill having been read at length the third time, considered and agreed to.

On the qeustion,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boles,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki,	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,

Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair lays before the House the Special Order of Business fixed for this time, being House Bill No. 1629, Printer's No. 672, on page 36 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1629 as follows:

A Supplement to the act approved the twenty-second day of August one thousand nine hundred fifty-three (Appropriation Acts page 54) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and fifty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain appropriations made to the Department of Public Instruction and the Department of State by the act to which this is a supplement are hereby specifically appropriated to such departments as follows

I EXECUTIVE DEPARTMENT

To the Department of Public Instruction

For the payment of the deficiency in the appropriation for the payment into the School Employes' Retirement Fund to the credit of the Contingent Reserve Account of the School Employes' Retirement Fund as required by law the sum of nine hundred sixty-seven thousand four dollars ($967,004)

For the payment into the School Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employes' Retirement Fund as required by law for the interest deficiency for the fiscal year ending June 30 1953 and June 30 1954 the sum of seven million five hundred thirty-seven thousand four hundred fifty-seven dollars ($7,537,457)

To the Department of State

For the payment into the State Employes' Retirement Fund to the credit of the Members' Annuity Reserve Account and other accounts for the interest deficiency for the year ending May 31 1953 and May 31 1954 the sum of two million six hundred fifty thousand six hundred fifty-five dollars ($2,650,655)

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHNSON. Mr. Speaker, if the membership will glance at this bill, they will find that it is another bill in the language of a "deficiency appropriation bill." We are objecting to this bill on the same grounds that were expressed yesterday on House Bill 1628.

I again have in front of me the message of the Governor of January 25, 1955, wherein he states that the appropriations in this bill are not payable until after May 31, 1955. These appropriations are for the contingent reserve account in the general fund of $967,000, annuity reserve account No. 2 of $7.5 million and State Employes Retirement Fund interest deficiency of $2.6 million. According to the Governor's message these appropriations are not payable until this biennium. Therefore, the word "deficiency" should be stricken out of this bill.

Therefore, for the same reasons as expressed yesterday, I am asking the Members of the House to vote against this bill, as it is not a correct bill and in our opinion is unconstitutional because you cannot pass a deficiency bill for the last biennium. As was stated, we operated at least at the $46 million deficit that I told you about yesterday.

Therefore, I ask the House to vote against this bill.

Mr. READINGER. Mr. Speaker, I think the membership's memory from yesterday is quite good. The reasons are all the same, and I think we should now proceed to vote on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Adam,	Flynn,	McCormack,	Renwick,
Amarando,	Frank,	McGee,	Rosen,
Anderson, M. S.,	Frascella,	McLaughlin,	Rovansek,
Anderson, S. A.,	Gaffney	McWherter,	Rudisill,
Barnatovich,	Garlock,	Meholchick,	Sarraf,
Bazin,	Gelfand,	Mihm,	Scarcelli,
Boles,	Guss,	Mills,	Schuster,
Bonner,	Hamilton, R. K.,	Monroe,	Sherman,
Boory,	Hass,	Moran,	Smith, Wm. B.,
Branca,	Heavey,	Muldowney,	Snider,
Brennan, A. P.,	Holt,	Mullen,	Stank,
Brennan, J. J.,	Jenkins,	Munley,	Stebbins,
Breth,	Jones, G. E.,	Murray, J. J.,	Stephens,
Bucchin,	Kamyk,	Musto,	Stone,
Capano,	Kolankiewicz	Needham,	Swartz,
Cianfrani,	Kornick,	Olsen,	Taylor,
Cioffi,	Kubacki,	O'Neil,	Thomas,
Cochran,	Lawyer,	Pacchioli,	Toli,
Comer,	Leiby,	Pashley,	Varallo,
Curwood,	Leonard,	Paulhamus,	Walsh,
Dougherty,	Leven,	Petrosky,	Wargo,
Eilberg,	Limper,	Pettigrew,	Welsh,
Farabaugh,	Lopresto,	Polaski,	Whitenight,
Filo,	Lovett,	Polen,	Williams,
Fineman,	Lutty,	Readinger,	Yetter,
Flint,	Maxwell,	Reibman,	Yetzer,
Floyd,	McCann,	Reidenbach,	Andrews,
			Speaker

NAYS—65

Agnew,	Gibb,	Leisey,	Royer,
Ashton,	Gibson,	Light,	Rubin,
Auker,	Goldstein,	Magee,	Smith, C. C.,
Banker,	Gramlich,	Mahan,	Stevenson,
Bower,	Haudenshield,	Metz,	Stoner,
Breisch,	Henzel,	Mikula,	Strausser,
Brenninger,	Hocker,	Moody,	Tompkins,
Bullen,	Houk,	Moscrip,	Toomey,
Davis,	Johnson,	Murphy,	Varner,
Donahue,	Jump,	Murray, H. P.,	Vaughan,
Donaldson,	Kehler,	Naugle,	Wall,
Ehrgood,	Kent,	Oglivie,	Waterhouse,
Erb,	Knecht,	Parry,	Weidner,
Eshleman,	Kooker,	Price,	Wescott,
Ewing,	Kratz,	Pursley,	Wood,
Frost,	Kromer,	Rigby,	Worley,
			Ziegler,

NOT VOTING—37

Bell,	Guthrie,	Lafore,	Spencer,
Blair,	Hamilton, W. H.,	Lippincott,	Steckel,
Brown,	Helm,	Markley,	Stroup,
Connelly,	Hewitt,	McInroy,	Thompson,
Cooper,	Horst,	McKeever,	Verona,
Down,	Isaacs,	Miller,	Wallace,
Foster,	Jones, T. H. W.,	Murray, P. G.,	Wheeler,
George,	Keller,	Pomeroy,	Willaredt,
Greenwood,	Kline,	Sigman,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

— — — — — — — — — — — —

(During the calling of the roll)

PARLIAMENTARY INQUIRY

Mr. LOPRESTI. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LOPRESTI. Mr. Speaker, would a motion to adjourn this House be in order at this time?

The SPEAKER pro tempore. A motion to adjourn would not be in order.

For the information of the gentleman and the Members of the House the Chair will read Rule 16 of the Rules of the House.

> Rule 16. A motion for adjournmnt or recess shall always be in order and shall be decided without debate, except as to the time of meeting. It cannot be received when the House is voting on another question, nor while a Member is addressing the House."

APPROPRIATION BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 597, as follows:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twenty-five thouasnd dollars ($125,000) or as much thereof as is necessary is appropriated to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania for the two fiscal yaers beginning June 1, 1955 for the purpose of maintenance of said institute

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Royer,
Agnew,	Frost,	Mahan,	Rovansek,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 900, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the University Museum

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the

University of Pennsylvania for the two fiscal years beginning June 1, 1955 for the general maintenance of the University Museum

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. O.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boles,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki,	Petrosky,	Weidner,
Elberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 901, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four million nine hundred ninety-six thousand dollars ($4,996,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June 1, 1955 for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interest of the university

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frascella,	Mahan,	Rovansek,
Agnew,	Frost,	Maxwell,	Royer,
Amarando,	Gaffney,	McCann,	Rubin,
Anderson, M. S.,	Garlock,	McCormack,	Rudisill,
Anderson, S. A.,	Gelfand,	McGee,	Sarraf,
Ashton,	George,	McLaughlin,	Scarcelli,
Auker,	Gibb,	McWherter,	Schuster,
Banker,	Gibson,	Meholchick,	Sherman,
Barnatovich,	Goldstein,	Metz,	Smith, C. O.,
Bazin,	Gramlich,	Mihm,	Smith, Wm. B.,
Boles,	Guss,	Mikula,	Snider,
Bonner,	Hamilton, R. K.,	Mills,	Stank,
Boory,	Hass,	Monroe,	Stebbins,
Bower,	Haudenshield,	Moody,	Stephens,
Branca,	Heavey,	Moran,	Stevenson,
Breisch,	Henzel,	Moscrip,	Stone,
Brennan, A. P.,	Hocker,	Muldowney,	Stoner,
Brennan, J. J.,	Holt,	Mullen,	Strausser,
Brenninger,	Horst,	Munley,	Swartz,
Breth,	Houk,	Murphy,	Taylor,
Bucchin,	Jenkins,	Murray, H. P.,	Thomas,
Bullen,	Johnson,	Murray, J. J.,	Toll,
Capano,	Jones, G. E.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Cochran,	Kehler,	Ogilvie,	Varner,
Comer,	Kent,	Olsen,	Vaughan,
Curwood,	Knecht,	O'Neil,	Wall,
Davis,	Kolankiewicz,	Pacchioli,	Wallace,
Donahue,	Kooker,	Parry,	Walsh,
Donaldson,	Kornick,	Pashley,	Wargo,
Dougherty,	Kratz,	Paulhamus,	Waterhouse,
Ehrgood,	Kromer,	Petrosky,	Weidner,
Elberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Reibman,	Wood,
Fineman,	Limper,	Readinger,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
			Speaker

NAYS—1

Kubacki,

NOT VOTING—33

Bell,	Hamilton, W. H.,	Lippincott,	Spencer,
Blair,	Helm,	Markley,	Steckel,
Brown,	Hewitt,	McInroy,	Stroup,
Connelly,	Isaacs,	McKeever,	Thompson,
Cooper,	Jones, T. H. W.,	Miller,	Verona,
Down,	Keller,	Murray, P. G.,	Wheeler,
Foster,	Kline,	Pomeroy,	Wilt,
Greenwood,	Lafore,	Sigman,	Young,
Guthrie,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 902, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Medicine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million one hundred twenty thousand five hundred seventy-five dollars ($2,120,575) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June 1, 1955 for the general maintenance of and for research in the School of Medicine of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the School of Medicine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Rubin,
Agnew,	Gaffney,	McCann,	Rudisill,
Amarando,	Garlock,	McCormack,	Sarraf,
Anderson, M. S.,	Gelfand,	McGee,	Scarcelli,
Anderson, S. A.,	George,	McLaughlin,	Schuster,
Ashton,	Gibb,	McWherter,	Sherman,
Auker,	Gibson,	Meholchick,	Smith, C. C.,
Banker,	Goldstein,	Metz,	Smith, Wm. B.
Barnatovich,	Gramlich,	Mihm,	Snider,
Bazin,	Guss,	Mikula,	Spencer,
Boies,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	Mahan,	Royer,	

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Steckel,
Brown,	Helm,	Markley,	Stroup,
Connelly,	Hewitt,	McInroy,	Thompson,
Cooper,	Isaacs,	McKeever,	Verona,
Down,	Jones, T. H. W.,	Miller,	Wheeler,
Foster,	Keller,	Murray, P. G.,	Wilt,
Greenwood,	Kline,	Pomeroy,	Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 903, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight hundred thirty five thousand dollars ($835,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June 1, 1955 for the general maintenance of and for research in the School of Veterinary Medicine of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the School of Veterinary Medicine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1065, as follows:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three million six hundred seventy-five thousand dollars ($3,675,000) or as much thereof as may be necessary is appropriated to the Trustees of Temple University at Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-five for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the university

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boles,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Lawyer,	Pettigrew,	Welsh,
Eilberg,	Leiby,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Whitenight,
Eshleman,	Leonard,	Price,	Willaredt,
Ewing,	Leven,	Pursley,	Williams,
Farabaugh,	Light,	Readinger,	Wood,
Filo,	Limper,	Reibman,	Worley,
Fineman,	Lopresti,	Reidenbach,	Yetter,
Flint,	Lovett,	Renwick,	Yetzer,
Floyd,	Lutty,	Rigby,	Ziegler,
Flynn,	Magee,	Rosen,	Andrews,
Frank,	Mahan,	Rovansek,	Speaker
Frascella,			

NAYS—1

Kubacki,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1066, as follows:

An Act making an appropriation to the Temple University Medical School at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million one hundred thirty-two thousand thirty-seven dollars ($2,132,037) or as much thereof as may be necessary is appropriated to the Temple University Medical School at Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-five for the general maintenance of the medical school and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the medical school

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
		O'Neil,	Wallace,

Davis,	Kolankiewicz,	Pacchioli,	Walsh,
Donahue,	Kooker,	Parry,	Wargo,
Donaldson,	Kornick,	Pashley,	Waterhouse,
Dougherty,	Kratz,	Paulhamus,	Weidner,
Ehrgood,	Kromer,	Petrosky,	Welsh,
Eilberg,	Kubacki,	Pettigrew,	Wescott,
Erb,	Lawyer,	Polaski,	Whitenight,
Eshleman,	Leiby,	Polen,	Willaredt,
Ewing,	Leisey,	Price,	Williams,
Farabaugh,	Leonard,	Pursley,	Wood,
Filo,	Leven,	Readinger,	Worley,
Fineman,	Light,	Reibman,	Yetter,
Flint,	Limper,	Reidenbach,	Yetzer,
Floyd,	Lopresti,	Renwick,	Ziegler,
Flynn,	Lovett,	Rigby,	Andrews,
Frank,	Lutty,	Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1090 as follows:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for maintenance and support

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million six hundred ninety-six thousand dollars ($2,696,000) or as much thereof as is necessary is hereby specifically appropriated to the Jefferson Medical College of Philadelphia Pennsylvania for the two fiscal years beginning June 1 1955 for the general maintenance of the Medical College and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interest of the Medical College

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frank,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.
Bazin,	Gramlich,	Metz,	Smith, W. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1324 as follows:

A Supplement to the act of April 1 1863 (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to carry into effect the act of Congress approved July 2 1862 granting public land to the several states for educational purposes and subsequent acts of Congress related thereto and the act of the Legislature of Pennsylvania approved April 1 1863 and subsequent acts of the Legislature of Pennsylvania accepting the provisions and conditions of said acts of Congress and pledging the faith of the State to carry the same into effect the sum of twenty-five million one hundred ninety-four thousand dollars ($25,194,000) is hereby specifically appropriated for the two fiscal years beginning June 1 1955 to the trustees of the Pennsylvania State University for the following purposes

(1) For the general maintenance of instruction research and extension in the College of Agriculture the Mont Alto State Forest School the College of Business Administration the College of Engineering and Architecture the College of the Liberal Arts the College of Home Economics the College of Mineral Industries the College of Chemistry and Physics the College of Education the Graduate School the College of Physical Education and Athletics the General Extension Services and for the general maintenance of other schools departments offices and services including repairs and improvements to the

grounds and buildings service of light heat power water and sewage disposal salaries and wages materials supplies equipment books and periodicals insurance and interest and such other expenditures as the trustees may deem necessary and practicable the sum of twenty four million seven hundred eighty-three thousand dollars ($24,783,000).

(2) For the use of the College of Agriculture for expenditure by the Agricultural Experiment Station for the support of research and investigation directed toward the development and production of superior strains of crops and livestock and to develop more efficient methods of producing and marketing such products the sum of one hundred fifty thousand dollars ($150,000)

(3) For the maintenance and the support of research and experimental investigation on problems relating to the petroleum industry of the State the sum of sixty-six thousand dollars ($66,000)

(4) For the purpose of carrying on research and investigation to discover by-products of anthracite and bituminous coal and uses therefor of developing new scientific chemical industrial domestic and other uses and new and extended markets for anthracite coal and its products and for employing engineers chemists technical experts assistants clerks stenographers and other employes and purchasing such machinery supplies equipment apparatus and other things necessary in the furtherance of the aforesaid research and investigation to be used by the College of Mineral Industries under the supervision of the State Department of Mines the sum of seventy thousand dollars ($70,000) The moneys appropriated by this clause shall be available and expended only to the extent that a sum equal to fifty per centum of the amount to be expended by the Commonwealth is contributed to the Pennsylvania State University by the members of the anthracite and bituminous coal industry Affidavits evidencing such contributions shall be submitted by the University to the Auditor General.

(5) For the support of research and investigation of basic problems affecting the slate and other non-metallic mineral industries the sum of thirty-five thousand dollars ($35,000)

(6) For the support of research and investigation of long-range basic problems affecting the mineral industries the sum of thirty-two thousand five hundred dollars ($32,500)

(7) For the purpose of matching money contributed by industry to the College of Mineral Industries for research and investigation of long-range problems affecting the mineral industries the sum of fifty-seven thousand five hundred dollars ($57,500) No more shall be expended from this item than may be required to match an equal sum contributed to the University by one or more industries for such research and investigation Affidavits evidencing such contributions shall be submitted by the University to the Auditor General

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Royer,
Agnew,	Gaffney,	Maxwell,	Rovansek,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boies,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki	Petrosky,	Weidner,
Ellberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1482 as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three million two hundred thousand dollars ($3,200,000) or as much thereof as may be necessary is hereby appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June 1 1955 for the general maintenance and operation of the Western Psychiatric Institute and Clinic by the University of Pittsburgh and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the purposes of the institute and clinic which purposes shall include the teaching of personnel for the staffs of the various mental institutions of the Commonwealth and the conduct of research in the treatment prevention and cause of the various types of nervous disorders and mental diseases in compliance with an act of the General Assembly approved May 20 1949 (P L 1643 Act No 496) providing for the lease of the Western State Psychiatric Institute and Clinic to the University of Pittsburgh

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, W. B.,
Bazin,	Guss,	Mikula,	Snider,
Boles,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Oglivie,	Vaughan,
Cochran,	Kent,	Olsen,	Varner,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki,	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresto,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1483 as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four million one hundred nine thousand dollars ($4,109,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June 1 1955 for the general maintenance of the University of Pittsburgh and for the purchase of such apparatus and equipment as the trustees may deem necessary for the best interest of the University

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frascella,	Mahan,	Rovansek,
Agnew,	Frost,	Maxwell,	Royer,
Amarando,	Gaffney,	McCann,	Rubin,
Anderson, M. S.,	Garlock,	McCormack,	Rudisill,
Anderson, S. A.,	Gelfand,	McGee,	Sarraf,
Ashton,	George,	McLaughlin,	Scarcelli,
Auker,	Gibb,	McWherter,	Schuster,
Banker,	Gibson,	Meholchick,	Sherman,
Barnatovich,	Goldstein,	Metz,	Smith, C. C.,
Bazin,	Gramlich,	Mihm,	Smith, Wm. B.,
Boles,	Guss,	Mikula,	Snider,
Bonner,	Hamilton, R. K.,	Mills,	Stank,
Boory,	Hass,	Monroe,	Stebbins,
Bower,	Haudenshield,	Moody,	Stephens,
Branca,	Heavey,	Moran,	Stevenson,
Breisch,	Henzel,	Moscrip,	Stone,
Brennan, A. P.,	Hocker,	Muldowney,	Stoner,
Brennan, J. J.,	Holt,	Mullen,	Strausser,
Brenninger,	Horst,	Munley,	Swartz,
Breth,	Houk,	Murphy,	Taylor,
Bucchin,	Jenkins,	Murray, H. P.,	Thomas,
Bullen,	Johnson,	Murray, J. J.,	Toll,
Capano,	Jones, G. E.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Cochran,	Kehler,	Ogilvie,	Varner,
Comer,	Kent,	Olsen,	Vaughan,
Curwood,	Knecht,	O'Neil,	Wall,
Davis,	Kolankiewicz,	Pacchioli,	Wallace,
Donahue,	Kooker,	Parry,	Walsh,
Donaldson,	Kornick,	Pashley,	Wargo,
Dougherty,	Kratz,	Paulhamus,	Waterhouse,
Ehrgood,	Kromer,	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
			Speaker

NAYS—1

Kubacki

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1484 as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the School of Medicine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million five hundred seventy-one thousand four hundred forty dollars ($1,571,440) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June 1 1955 for the general maintenance of the School of Medicine including the purchase of such apparatus and equipment as the trustees may deem necessary and maintenance of teaching facilities in hospitals for students of the School of Medicine including the Maternity Dispensary and other dispensaries

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1595 as follows:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars ($200,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred fifty-five for aid to free public non-sectarian county libraries and for the purchase and transportation of books to be used for demonstration and circulation purposes to carry into effect the provisions of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1203)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, W. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stoner,
Brennan, A. P.,	Hocker,	Moscrip,	Stone,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,

Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1600 as follows:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-five thousand dollars ($65,000) is hereby specifically appropriated to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-five Provided That in such school there shall be maintained a free one-year scholarship annually for one pupil to each senatorial district in the State to be filled by appointment of the Senator of each such district

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1601 as follows:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty-five thousand dollars ($55,000) or as much thereof as may be necessary is hereby appropriated to the Berean Manual Training School at Philadelphia Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred fifty-five for the purpose of the maintenance of said school and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the school

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Auker,	Gaffney,	Maxwell,	Rubin,
Amarando,	Garlock,	McCann,	Rudisill,
Anderson, M. S.,	Gelfand,	McCormack,	Sarraf,
Anderson, S. A.,	George,	McGee,	Scarcelli,
Ashton,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,		Pettigrew,	Wescott,

Eshleman,	Lawyer,	Polaski,	Whitenight,
Ewing,	Leiby,	Polen,	Willaredt,
Farabaugh,	Leisey,	Price,	Williams,
Filo,	Leonard,	Pursley,	Wood,
Fineman,	Leven,	Readinger,	Worley,
Flint,	Light,	Reibman,	Yetter,
Floyd,	Limper,	Reidenbach,	Yetzer,
Flynn,	Lopresti,	Renwick,	Ziegler,
Frank,	Lovett,	Rigby,	Andrews,
	Lutty,	Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1602 as follows:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-eight thousand four hundred dollars ($48,400) or as much thereof as may be necessary is hereby specifically appropriated to the Williamson Free School of Mechanical Trades in Delaware County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-five for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boles,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Keller,	Needham,	Varallo,
Cochran,		Ogilvie,	Varner,
Comer,	Kent,	Olsen,	Vaughan,
Curwood,	Knecht,	O'Neil,	Wall,
Davis,	Kolankiewicz,	Pacchioli,	Wallace,
Donahue,	Kooker,	Parry,	Walsh,
Donaldson,	Kornick,	Pashley,	Wargo,
Dougherty,	Kratz,	Paulhamus,	Waterhouse,
Ehrgood,	Kromer,	Petrosky,	Weidner,
Eilberg,	Kubacki,	Pettigrew,	Welsh,
Erb,	Lawyer,	Polaski,	Wescott,
Eshleman,	Leiby,	Polen,	Whitenight,
Ewing,	Leisey,	Price,	Willaredt,
Farabaugh,	Leonard,	Pursley,	Williams,
Filo,	Leven,	Readinger,	Wood,
Fineman,	Light,	Reibman,	Worley,
Flint,	Limper,	Reidenbach,	Yetter,
Floyd,	Lopresti,	Renwick,	Yetzer,
Flynn,	Lovett,	Rigby,	Ziegler,
Frank,	Lutty,	Rosen,	Andrews,
Frascella,	Magee,		Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Kehler,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1603 as follows:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty-five thousand dollars ($135,000) or as much thereof as may be necessary is hereby specifically appropriated to the Downingtown Industrial and Agricultural School at Downingtown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-five for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,

Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle.	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent.	Ogilvie,	Vaughan,
Curwood,	Knecht.	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley.	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey.	Polen,	Willaredt.
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven.	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper.	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy.	Stroup
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1604 as follows:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the payment of the cost of construction and equipment of the new girl's dormitory

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty-five thousand dollars ($135,000) or as much thereof as may be necessary is hereby specifically appropriated to the Downingtown Industrial and Agricultural School at Downingtown Pennsylvania for the payment of the cost of construction and equipment of the new girls' dormitory

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein	Meholchick	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldiwney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresto,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1605 as follows:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighty thousand dollars ($80,000) or as much thereof as may be necessary is hereby specifically appropriated to the National Agricultural College Farm School Pennsylvania at Doylestown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-five for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boies,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Needham,	Toomey,
Cianfrani,	Kamyk,	Ogilvie,	Varallo,
Cioffi,	Kehler,	Naugle,	Varner,
Comer,	Kent,	Olsen,	Vaughan,
Cochran,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Walsh,
Davis,	Kooker,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki,	Pettigrew,	Welsh,
Ellberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1606 as follows:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred sixty thousand dollars ($160.000) is hereby specifically appropriated to the Philadelphia Textile Institute at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-five for maintenance and the purchase of apparatus supplies and equipment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	Gibb,	McGee,	Scarcelli,
Auker,	Gibson,	McLaughlin,	Schuster,
Banker,	George,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Ellberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1607, as follows:

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy thousand dollars ($70,-000) is hereby specifically appropriated to the Orlando S Johnson Industrial School of Scranton Pennsylvania for

the two fiscal years beginning June first one thousand nine hundred fifty-five for the purpose of maintenance and the purchase of supplies and equipment to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING 33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1608, as follows:

An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred sixty thousand dollars ($160,000) is hereby specifically appropriated to the Pennsylvania Museum School of Art Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-five for maintenance and the purchase of apparatus supplies and equipment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Auker,	Gaffney,	Maxwell,	Rubin,
Amarando,	Garlock,	McCann,	Rudisill,
Anderson, M. S.,	Gelfand,	McCormack,	Sarraf,
Anderson, S. A.,	George,	McGee,	Scarcelli,
Ashton,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1609, as follows:

An Act making an appropriation to the Philadelphia Commercial Museum for maintenance and the purchase of apparatus supplies and equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars ($200,000) or as much thereof as may be necessary is hereby specifically appropriated to the Philadelphia Commercial Museum at Philadelphia Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred fifty-five for maintenance and the purchase of apparatus supplies and equipment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frascella,	Magee,	Royer,
Agnew,	Frost,	Mahan,	Rudisill,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Sarraf,
Anderson, S. A.,	Gelfand,	McCormack,	Scarcelli,
Ashton,	George,	McGee,	Schuster,
Auker,	Gibb,	McLaughlin,	Sherman,
Banker,	Gibson,	McWherter,	Smith, C. C.,
Barnatovich,	Goldstein,	Meholchick,	Smith, Wm. B.,
Bazin,	Gramlich,	Metz,	Snider,
Boles,	Guss,	Mihm,	Stank,
Bonner,	Hamilton, R. K.,	Mikula,	Stebbins,
Boory,	Hass,	Mills,	Stephens,
Bower,	Haudenshield,	Monroe,	Stevenson,
Branca,	Heavey,	Moody,	Stone,
Breisch,	Henzel,	Moran,	Stoner,
Brennan, A. P.,	Hocker,	Moscrip,	Strausser,
Brennan, J. J.,	Holt,	Muldowney,	Swartz,
Brenninger,	Horst,	Mullen,	Taylor,
Breth,	Houk,	Munley,	Thomas,
Bucchin,	Jenkins,	Murphy,	Toll,
Bullen,	Johnson,	Murray, H. P.,	Tompkins,
Capano,	Jones, G. E.,	Murray, J. J.,	Toomey,
Cianfrani,	Jump,	Musto,	Varner,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Vaughan,
Comer,	Kent,	Ogilvie,	Wall,
Curwood,	Knecht,	Olsen,	Wallace,
Davis,	Kolankiewicz,	O'Neil,	Walsh,
Donahue,	Kooker,	Pacchioli,	Wargo,
Donaldson,	Kornick,	Parry,	Waterhouse,
Dougherty,	Kratz,	Pashley,	Weidner,
Ehrgood,	Kromer,	Paulhamus,	Welsh,
Eilberg,	Kubacki,	Petrosky,	Wescott,
Erb,	Lawyer,	Pettigrew,	Whitenight,
Eshleman,	Leiby,	Polaski,	Willaredt,
Ewing,	Leisey,	Polen,	Williams,
Farabaugh,	Leonard,	Price,	Wood,
Filo,	Leven,	Pursley,	Worley,
Fineman,	Light,	Readinger,	Yetter,
Flint,	Limper,	Reidenbach,	Yetzer,
Floyd,	Lopresti,	Renwick,	Ziegler,
Flynn,	Lovett,	Rigby,	Andrews,
Frank,	Lutty,	Rosen,	Speaker
		Rovansek,	

NAYS—1

Reibman,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mrs. REIBMAN. Mr. Speaker, I wish to file the following reasons for my vote.

I voted against this appropriation not because I am opposed to historical shrines and the place they take in our historical development, but I opposed the expenditure of money now on this item which I consider as "frills" at this time when money is so desperately needed for education, welfare and mental health. For the same principle that I voted against salary increase for Legislators, is why I voted against this bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1610, as follows:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred twenty-four thousand dolalrs ($724,000) or as much thereof as may be necessary is hereby specifically appropriated to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania for the support and promotion of medical education for the fiscal biennium beginning the first day of June one thousand nine hundred fifty-five to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frascella,	Magee,	Rosen,
Agnew,	Frost,	Mahan,	Rovansek,
Amarando,	Gaffney,	Maxwell,	Royer,
Anderson, M. S.,	Garlock,	McCann,	Rubin,
Anderson, S. A.,	Gelfand,	McCormack,	Rudisill,
Ashton,	George,	McGee,	Sarraf,
Auker,	Gibb,	McLaughlin,	Scarcelli,
Banker,	Gibson,	McWherter,	Schuster,
Barnatovich,	Goldstein,	Meholchick,	Sherman,
Bazin,	Gramlich,	Metz,	Smith, C. C.,
Boles,	Guss,	Mihm,	Smith, Wm. B.,
Bonner,	Hamilton, R. K.,	Mikula,	Snider,
Boory,	Hass,	Mills,	Stank,
Bower,	Haudenshield,	Monroe,	Stebbins,
Branca,	Heavey,	Moody,	Stephens,
Breisch,	Henzel,	Moran,	Stevenson,
Brennan, A. P.,	Hocker,	Moscrip,	Stone,
Brennan, J. J.,	Holt,	Muldowney,	Stoner,
Brenninger,	Horst,	Mullen,	Strausser,
Breth,	Houk,	Munley,	Swartz,
Bucchin,	Jenkins,	Murphy,	Taylor,
Bullen,	Johnson,	Murray, H. P.,	Thomas,
Capano,	Jones, G. E.,	Murray, J. J.,	Toll,
Cianfrani,	Jump,	Musto,	Tompkins,
Cioffi,	Kamyk,	Naugle,	Toomey,
Cochran,	Kehler,	Needham,	Varallo,
Comer,	Kent,	Ogilvie,	Varner,
Curwood,	Knecht,	Olsen,	Vaughan,
Davis,	Kolankiewicz,	O'Neil,	Wall,
Donahue,	Kooker,	Pacchioli,	Wallace,
Donaldson,	Kornick,	Parry,	Walsh,
Dougherty,	Kratz,	Pashley,	Wargo,
Ehrgood,	Kromer,	Paulhamus,	Waterhouse,
Eilberg,		Petrosky,	Welsh,

Erb,	Kubacki,	Pettigrew,	Wescott,
Eshleman,	Lawyer,	Polaski,	Weidner,
Ewing,	Leiby,	Polen,	Whitenight,
Farabaugh,	Leisey,	Price,	Willaredt,
Filo,	Leonard,	Pursley,	Williams,
Fineman,	Leven,	Readinger,	Wood,
Flint,	Light,	Reibman,	Worley,
Floyd,	Limper,	Reidenbach,	Yetter,
Flynn,	Lopresti,	Renwick,	Ziegler,
Frank,	Lovett,	Rigby,	Andrews,
	Lutty,		Speaker

NAYS—1

Yetzer,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1611, as follows:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million five hundred seventy-two thousand dollars ($1,572,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred fifty-five for the purpose of maintenance of a school of medicine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1612, as follows:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred eighty thousand dollars ($480,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the College of Lincoln University Chester County for the two fiscal years beginning June first one thousand nine hundred fifty-five for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem for the best interests of the university

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,

Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1632, as follows:

An Act making an appropriation to the Department of Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million three hundred thousand dollars ($2,300,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the two fiscal years commencing the first day of June one thousand nine hundred fifty-five to be paid to State-aided medical and surgical hospitals and the Philadelphia General Hospital for the purposes of reimbursing such hospitals for part of the cost of training student nurses in approved schools of nursing Payments from the appropriation herein made shall be made to such hospitals from time to time at the rate of one hundred fifty dollars ($150) annually for each student nurse being trained in a hospital

Section 2 The provisions of this act shall be administered under regulations established or to be established by the Department of Welfare and the Auditor General

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1633, as follows:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred five thousand dollars ($605,000) or as much thereof as may be necessary is hereby specifically appropriated to The Glen Mills School situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred fifty-five for the purpose of maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Fshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1634 as follows:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred ten thousand dollars ($610,000) or as much thereof as may be necessary is hereby specifically appropriated to Sleighton Farm School for Girls situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred fifty-five for the purpose of maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Fshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1636 as follows:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred twenty-five thousand dollars ($425,000) or as much thereof as may be necessary is hereby appropriated to the Department of Health for the operation and maintenance of the Institute for Cancer Research Incorporated located at Fox Chase Philadelphia Pennsylvania

And Said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, W. B.,
Boles,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Oglivie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki,	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1646, as follows:

An Act making an appropriation to the Department of Property and supplies for a continuance of the acquisition of real estate in connection with the extension of Capitol Park in the City of Harrisburg and for carrying on the work of the Department authorized under the act approved the third day of June one thousand nine hundred forty-three (P. L. 818)

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million ninety thousand dollars ($1,090,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for carrying on the work of the Department authorized under the act approved the third day of June one thousand nine hundred forty-three (P. L. 818) and for the continuance of the acquisition of lands and buildings and for costs and general expenses in connection therewith and for costs and general expenses in connection with the maintenance and repair of properties within the extension area prior to the redevelopment of the area

Section 2 This act shall take effect immediately upon final enactment

And Said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frascella,	Magee,	Rosen,
Agnew,	Frost,	Mahan,	Rovansek,
Amarando,	Gaffney,	Maxwell,	Royer,
Anderson, M. S.,	Garlock,	McCann,	Rubin,
Anderson, S. A.,	Gelfand,	McCormack,	Rudisill,
Ashton,	George,	McGee,	Sarraf,
Auker,	Gibb,	McLaughlin,	Scarcelli,
Banker,	Gibson,	McWherter,	Schuster,
Barnatovich,	Goldstein,	Meholchick,	Sherman,
Bazin,	Gramlich,	Metz,	Smith, C. C.,
Boles,	Guss,	Mihm,	Smith, Wm. B.,
Bonner,	Hamilton, R. K.,	Mikula,	Snider,
Boory,	Hass,	Mills,	Stank,
Bower,	Haudenshield,	Monroe,	Stebbins,
Branca,	Heavey,	Moody,	Stephens,
Breisch,	Henzel,	Moran,	Stevenson,
Brennan, A. P.,	Hocker,	Moscrip,	Stone,
Brennan, J. J.,	Holt,	Muldowney,	Stoner,
Brenninger,	Horst,	Mullen,	Strausser,
Breth,	Houk,	Munley,	Swartz,
Bucchin,	Jenkins,	Murphy,	Taylor,
Bullen,	Johnson,	Murray, H. P.,	Thomas,
Capano,	Jones, G. E.,	Murray, J. J.,	Toll,
Cianfrani,	Jump,	Musto,	Tompkins,
Cioffi,	Kamyk,	Naugle,	Toomey,
Cochran,	Kehler,	Needham,	Varallo,
Comer,	Kent,	Oglivie,	Varner,
Curwood,	Knecht,	Olsen,	Vaughan,
Davis,	Kolankiewicz,	O'Neil,	Wall,
Donahue,	Kooker,	Pacchioli,	Wallace,
Donaldson,	Kornick,	Parry,	Walsh,
Dougherty,	Kratz,	Pashley,	Wargo,
Ehrgood,	Kromer,	Paulhamus,	Waterhouse,
Eilberg,	Kubacki,	Petrosky,	Weidner,
Erb,	Lawyer,	Pettigrew,	Welsh,
Eshleman,	Leiby,	Polaski,	Wescott,
Ewing,	Leisey,	Polen,	Whitenight,
Farabaugh,	Leonard,	Price,	Willaredt,
Filo,	Leven,	Pursley,	Williams,
Fineman,	Light,	Readinger,	Wood,
Flint,	Limper,	Reibman,	Worley,
Floyd,	Lopresti,	Reidenbach,	Yetter,
Flynn,	Lovett,	Renwick,	Yetzer,
Frank,	Lutty,	Rigby,	Andrews,
			Speaker

NAYS—1

Ziegler,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1647, as follows:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars ($200,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Commerce Bureau of Port Operations of the City of Philadelphia for the maintenance repair improvement of the Port of Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-five

The moneys so appropriated shall only be expended as authorized and directed by the Council of the City of Philadelphia and shall be drawn from the State Treasury upon warrants drawn by the Auditor General upon requisition by the Chief of the Bureau of Port Operations of said city

Section 2 The provisions of this act shall become effective immediately upon final enactment

And Said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boles,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki,	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Flynn,	Lovett,	Renwick,	Yetzer,
Floyd,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1648, as follows:

An Act making an appropriation to the Department of Mines for the sealing and dewatering and flushing of and extinguishment of fires in abandoned coal mines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million five hundred thousand dollars ($2,500,000) or as much thereof as may be necessary is hereby appropriated to the Department of Mines for the two fiscal years beginning the first day of June one thousand nine hundred fifty-five for the purpose of purchasing and maintaining equipment paying salaries wages postage printing and other necessary expenses incurred in the sealing or dewatering of or extinguishment of fires in abandoned coal mines and for the flushing of mine voids in abandoned mines where danger of subsidence may be imminent

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,

Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1649 as follows:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight hundred fifty-six thousand dollars ($856,000) or as much thereof as may be necessary is hereby appropriated to the State Public Building Authority for the two fiscal years beginning June first one thousand nine hundred fifty-five for the payment of costs and expenses incurred in the work of the Authority under the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	Gibb,	McGee,	Sarraf,
Ashton,	Gibson,	McLaughlin,	Scarcelli,
Auker,	George,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boles,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1650 entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

On the question,

Will the House agree to the bill on third reading?

Mr. LOPRESTI. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information

Amend Title, page 1, last line of Title, by inserting after "Pennsylvania" and to the Cresson Volunteer Fire Company of Cresson, Pennsylvania,

Amend Bill, page 2, by inserting after line 3 "Section 2. The sum of one thousand dollars ($1000) is hereby specifically appropriated to the Cresson Volunteer Fire Company of Cresson, Pennsylvania for the two fiscal years beginning June 1, 1955."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there

objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring

Will the House agree to the bill on third reading as amended

Mr. ERB. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by inserting after "Pennsylvania" and making an appropriation to the Hollidaysburg Volunteer Fire Company and the Duncansville Volunteer Fire Company for the protection of State property,

Amend Bill, page 2, by inserting after line 3, "Section 2. The sum of one thousand dollars ($1000) is hereby specifically appropriated to the Hollidaysburg Volunteer Fire Company and the Duncansville Volunteer Fire Company for the two fiscal years beginning June 1, 1955, for the protection of the Hollidaysburg State Hospital, the State Police Barracks and District Office Number 9 and maintenance building of the State Department of Highways in Blair County.

Such sum shall be distributed between the Companies in an equal amount."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1651 as follows:

An Act making an appropriation for moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand six hundred seventy dollars ($1,670) or as much thereof as may be necessary is hereby specifically appropriated out of the Toll Bridge Fund to the Board of Finance and Revenue for the two fiscal years beginning June first one thousand nine hundred fifty-five for the payment of the compensation to the Commonwealth's Loan and Transfer Agent for services rendered in connection with the registration transfer and payment of interest on Toll Bridge bonds and for other services required to be performed by the said Loan and Transfer Agent Payments from such appropriation shall be made at such times and in such amounts and upon such basis as may be provided by law or agreed upon between the Board of Finance and Revenue and the said Loan and Transfer Agent

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, W. B.,
Boles,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Oglivie,	Vaughan,
Comer,	Knecht,	Olsen,	Varner,
Curwood,	Kolankiewicz	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki,	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1652 as follows:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million four hundred ninety-three thousand five hundred dollars ($1,493,500) is hereby specifically appropriated from the Toll Bridge Fund to the Board of Finance and Revenue for payment into the Toll Bridge Sinking Fund to meet interest and sinking fund requirements on Toll Bridge Bonds for the two fiscal years beginning June first one thousand nine hun-

dred fifty-five The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Toll Bridge Fund to the Toll Bridge Sinking Fund on or before the dates and in the manner set forth in the following schedule

Dates	Principal	Interest	Total
October 1 1955	$ 700,000.00	$27,225.00	$ 727,225.00
April 1 1956		23,375.00	23,375.00
October 1 1956	700,000.00	23,375.00	723,375.00
April 1, 1957		15,525.00	19,525.00
Total	$1,400,000.00	$93,500.00	$1,493,500.00

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boles,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki,	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1654 as follows:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums of moneys are hereby appropriated to the Treasury Department for the payment of replacement checks issued by that department in accordance with the provisions of the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 996)

Out of the General Fund	$10,000.00
Out of the Motor License Fund	10,000.00
Out of the Liquor License Fund	2,500.00
Out of the Fire Insurance Tax Fund	10,000.00
Out of the Fish Fund	150.00
Out of the Game Fund	750.00
Out of the School Employes' Retirement Fund	5,000.00
Out of the State Workmen's Insurance Fund	5,000.00
Out of the Milk Control Fund	500.00
Out of the State Stores Fund	5,000.00
Out of the State School Fund	500.00
Out of the State Farm Show Fund	100.00
Out of the State Employes' Retirement Fund	5,000.00
Out of the Flood Control Fund	2,500.00

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, W. B.,
Boles,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki,	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,		Price,	Willaredt,

Farabaugh,	Leonard,	Pursley,	Williams,
Filo,	Leven,	Readinger,	Wood,
Fineman,	Light,	Reibman,	Worley,
Flint,	Limper,	Reidenbach,	Yetter,
Floyd,	Lopresti,	Renwick,	Yetzer,
Flynn,	Lovett,	Rigby,	Ziegler,
Frank,	Lutty,	Rosen,	Andrews,
Frascella,	Magee,		Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1655 as follows:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars ($30,000) or as much thereof as may be necessary is hereby appropriated to the Department of Agriculture for the two fiscal years beginning the first day of June one thousand nine hundred fifty-five for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes The moneys hereby appropriated shall be apportioned among and paid to the several counties appropriating and expending from the county treasury a sum equal to that received from the Commonwealth for such purpose

Section 2 The funds appropriated under this act shall be available for payment of salaries and wages purchase of supplies and other necessary and pertinent items in accordance with regulations promulgated by the Department of Agriculture under the provisions of the act approved the twenty-first day of April one thousand nine hundred thirty-seven (P. L. 318) known as "The Pennsylvania Plant Pest Act of 1937"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Royer,
Agnew,	Gaffney,	Maxwell,	Rubin,
Amarando,	Garlock,	McCann,	Rudisill,
Anderson, M. S.,	Gelfand,	McCormack,	Sarraf,
Anderson, S. A.,	George,	McGee,	Scarcelli,
Ashton,	Gibb,	McLaughlin,	Schuster,
Auker,	Gibson,	McWherter,	Sherman,
Banker,	Goldstein,	Meholchick,	Smith, C. C.,
Barnatovich,	Gramlich,	Metz,	Smith, W. B.,
Bazin,	Guss,	Mihm,	Snider,
Boies,	Hamilton, R. K.,	Mikula,	Stank,
Bonner,	Hass,	Mills,	Stebbins,
Boory,	Haudenshield,	Monroe,	Stephens,
Bower,	Heavey,	Moody,	Stevenson,
Branca,	Henzel,	Moran,	Stone,
Breisch,	Hocker,	Moscrip,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Swartz,
Brenninger,	Houk,	Munley,	Taylor,
Breth,	Jenkins,	Murphy,	Thomas,
Bucchin,	Johnson,	Murray, H. P.,	Toll,
Bullen,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Capano,	Jump,	Musto,	Toomey,
Cianfrani,	Kamyk,	Naugle,	Varallo,
Cioffi,	Kehler,	Needham,	Varner,
Cochran,	Kent,	Ogilvie,	Vaughan,
Comer,	Knecht,	Olsen,	Wall,
Curwood,	Kolankiewicz,	O'Neil,	Wallace,
Davis,	Kooker,	Pacchioli,	Walsh,
Donahue,	Kornick,	Parry,	Wargo,
Donaldson,	Kratz,	Pashley,	Waterhouse,
Dougherty,	Kromer,	Paulhamus,	Weidner,
Ehrgood,	Kubacki,	Petrosky,	Welsh,
Eilberg,	Lawyer,	Pettigrew,	Wescott,
Erb,	Leiby,	Polaski,	Whitenight,
Eshleman,	Leisey,	Polen,	Willaredt,
Ewing,	Leonard,	Price,	Williams,
Farabaugh,	Leven,	Pursley,	Wood,
Filo,	Light,	Readinger,	Worley,
Fineman,	Limper,	Reibman,	Yetter,
Flint,	Lopresti,	Reidenbach,	Yetzer,
Floyd,	Lovett,	Renwick,	Ziegler,
Flynn,	Lutty,	Rigby,	Andrews,
Frank,	Magee,	Rosen,	Speaker
Frascella,		Rovansek,	

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to third reading and consideration of House Bill No. 1656 as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation protection and development of buildings and grounds at Ephrata Cloisters a famous historical shrine belonging to the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to preserve protect and develop the historic buildings at Ephrata Cloisters averting the deterioration of the old wooden structures by suitable restoration measures and in order to landscape the grounds the sum of forty thousand dollars ($40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission to be used for exterior and interior repairs at the Ephrata Cloisters at Ephrata Lancaster County for fencing tree-planting and other landscaping work for the payment of wages of skilled craftsmen and other workmen for the purchase of materials and equipment for concentrated repairs and for the payment of professional fees for architectural supervision

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frost,	Mahan,	Royer,
Agnew,	Gaffney,	Maxwell,	Rubin,
Amarando,	Garlock,	McCann,	Rudisill,
Anderson, M. S.,	Gelfand,	McCormack,	Sarraf,
Anderson, S. A.,	George,	McGee,	Scarcelli,
Ashton,	Gibb,	McLaughlin,	Schuster,
Auker,	Gibson,	McWherter,	Sherman,
Banker,	Goldstein,	Meholchick,	Smith, C. C.
Barnatovich,	Gramlich,	Metz,	Smith, Wm. B.
Bazin,	Guss,	Mihm,	Snider,
Boles,	Hamilton, R. K.,	Mikula,	Stank,
Bonner,	Hass,	Mills,	Stebbins,
Boory,	Haudenshield,	Monroe,	Stephens,
Bower,	Heavey,	Moody,	Stevenson,
Branca,	Henzel,	Moran,	Stone,
Breisch,	Hocker,	Moscrip,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Swartz,
Brenninger,	Houk,	Munley,	Taylor,
Breth,	Jenkins,	Murphy,	Thomas,
Bucchin,	Johnson,	Murray, H. P.,	Toll,
Bullen,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Capano,	Jump,	Musto,	Toomey,
Cianfrani,	Kamyk,	Naugle,	Varallo,
Cioffi,	Kehler,	Needham,	Varner,
Cochran,	Kent,	Ogilvie,	Vaughan,
Comer,	Knecht,	Olsen,	Wall,
Curwood,	Kolankiewicz,	O'Neil,	Wallace,
Davis,	Kooker,	Pacchioli,	Walsh,
Donahue,	Kornick,	Parry,	Wargo,
Donaldson,	Kratz,	Pashley,	Waterhouse,
Dougherty,	Kromer,	Paulhamus,	Weidner,
Ehrgood,	Kubacki,	Petrosky,	Welsh,
Eilberg,	Lawyer,	Pettigrew,	Wescott,
Erb,	Leiby,	Polaski,	Whitenight,
Eshleman,	Leisey,	Polen,	Willaredt,
Ewing,	Leonard,	Price,	Williams,
Farabaugh,	Leven,	Pursley,	Wood,
Filo,	Light,	Readinger,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,			

NAYS—1

Reibman,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mrs. REIBMAN. Mr. Speaker, I wish to file the following reasons for my vote.

I voted against this appropriation not because I am opposed to historical shrines and the place they take in our historical development, but I opposed the expenditure of money now on this item which I consider as "frills" at this time when money is so desperately needed for education, welfare and mental health. For the same principle that I voted against salary increase for Legislators, is why I voted against this bill.

Agreeably to order,

The House proceeded to third reading and consideration of House Bill No. 1657 as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and improvement of the Drake Museum and the Drake Well Memorial Park

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand dollars ($10,000) or as much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical and Museum Commission for the further preservation and improvement of the birthplace of the world's petroleum industry at Drake Well Memorial Park for raising sections of the park area above flood level and for repairing the dike along Oil Creek and for other incidental and contingent expenses necessary to protect the Drake Museum and other buildings from damage by flood or other hazard.

And said bll having been read at length the third tim, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and anys were taken and were as folows:

YEAS—176

Adam,	Frost,	Mahan,	Royer,
Agnew,	Gaffney,	Maxwell,	Rubin,
Amarando,	Garlock,	McCann,	Rudisill,
Anderson, M. S.,	Gelfand,	McCormack,	Sarraf,
Anderson, S. A.,	George,	McGee,	Scarcelli,
Ashton,	Gibson,	McLaughlin,	Schuster,
Auker,	Gibb,	McWherter,	Sherman,
Banker,	Goldstein,	Meholchick,	Smith, C. C.,
Barnatovich,	Gramlich,	Metz,	Smith, Wm. B.,
Bazin,	Guss,	Mihm,	Snider,
Boles,	Hamilton, R. K.,	Mikula,	Stank,
Bonner,	Hass,	Mills,	Stebbins,
Boory,	Haudenshield,	Monroe,	Stephens,
Bower,	Heavey,	Moody,	Stevenson,
Branca,	Henzel,	Moran,	Stone,
Breisch,	Hocker,	Moscrip,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Swartz,
Brenninger,	Houk,	Munley,	Taylor,
Breth,	Jenkins,	Murphy,	Thomas,
Bucchin,	Johnson,	Murray, H. P.,	Toll,
Bullen,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Capano,	Jump,	Musto,	Toomey,
Cianfrani,	Kamyk,	Naugle,	Varallo,
Cioffi,	Kehler,	Needham,	Varner,
Cochran,	Kent,	Ogilvie,	Vaughan,
Comer,	Knecht,	Olsen,	Wall,
Curwood,	Kolankiewicz,	O'Neil,	Wallace,
Davis,	Kooker,	Pacchioli,	Walsh,
Donahue,	Kornick,	Parry,	Wargo,
Donaldson,	Kratz,	Pashley,	Waterhouse,
Dougherty,	Kromer,	Paulhamus,	Weidner,
Ehrgood,	Kubacki,	Petrosky,	Welsh,
Eilberg,	Lawyer,	Pettigrew,	Wescott,
Erb,	Leiby,	Polaski,	Whitenight,
Eshleman,	Leisey,	Polen,	Willaredt,
Ewing,	Leonard,	Price,	Williams,
Farabaugh,	Leven,	Pursley,	Wood,
Filo,	Light,	Readinger,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,			

NAYS—1

Reibman,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mrs. REIBMAN. Mr. Speaker, I wish to file the following reasons for my vote.

I voted against this appropriation not because I am opposed to historical shrines and the place they take in our historical development, but I opposed the expenditure of money now on this item which I consider as "frills" at this time when money is so desperately needed for education, welfare and mental health. For the same principle that I voted against salary increase for Legislators, is why I voted against this bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1658 as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the maintenance and development of the Daniel Boone Homestead

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to further enhance the appeal of Daniel Boone Homestead for boys and girls and for the general public by providing better facilities by providing better means of access and by further improvements to the buildings the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical and Museum Commission for the further improvement and development of Daniel Boone Homestead for the construction of driveways parking areas and paths for the alteration and repair of the buildings for the construction of a building for offices garage storage general utility lavatory and bath house with sewage disposal and water for the installation of sanitary facilities for the purchase of furniture and household furnishings for the Homestead and of farming implements machinery and wagons for the barn and for use in cultivating the landing and for fencing grading and planting and for incidental and contingent expenses on the Homestead property

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Buechin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Petrarew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reidenbach,	Yetter,
Floyd,	Lopresti,	Renwick,	Yetzer,
Flynn,	Lovett,	Rigby,	Ziegler,
Frank,	Lutty,	Rosen,	Andrews, Speaker

NAYS—1

Reibman,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Manley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mrs. REIBMAN. Mr. Speaker, I wish to file the following reasons for my vote.

I voted against this appropriation not because I am opposed to historical shrines and the place they take in our historical development, but I opposed the expenditure of money now on this item which I consider as "frills" at this time when money is so desperately needed for education, welfare and mental health. For the same principle that I voted against salary increase for Legislators, is why I voted against this bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1659, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the maintenance and development of the Pennsylvania Farm Museum of Landis Valley

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical and Museum Commission for the further maintenance and development of the Pennsylvania Farm Museum of Landis Valley by the acquisition of land by the acquisition of storage facilities and space either through purchase or rental and also for the payment of fees or compensation to consulting curators architects landscape engineers and other specialized services and for other incidental and contingent expenses

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frascella,	Magee,	Royer,
Agnew,	Frost,	Mahan,	Rubin,
Amarando,	Gaffney,	Maxwell,	Rudisill,
Anderson, M. S.,	Garlock,	McCann,	Sarraf,
Anderson, S. A.,	Gelfand,	McCormack,	Scarcelli,
Ashton,	George,	McGee,	Schuster,
Auker,	Gibb,	McLaughlin,	Sherman,
Banker,	Gibson,	McWherter,	Smith, C. C.,
Barnatovich,	Goldstein,	Meholchick,	Smith, Wm. B.,
Bazin,	Gramlich,	Metz,	Snider,
Boles,	Guss,	Mihm,	Stank,
Bonner,	Hamilton, R. K.,	Mikula,	Stebbins,
Boory,	Hass,	Mills,	Stephens,
Bower,	Haudenshield,	Monroe,	Stevenson,
Branca,	Heavey,	Moody,	Stone,
Breisch,	Henzel,	Moran,	Stoner,
Brennan, A. P.,	Hocker,	Moscrip,	Strausser,
Brennan, J. J.,	Holt,	Muldowney,	Swartz,
Brenninger,	Horst,	Mullen,	Taylor,
Breth,	Houk,	Munley,	Thomas,
Bucchin,	Jenkins,	Murphy,	Toll,
Bullen,	Johnson,	Murray, H. P.,	Tompkins,
Capano,	Jones, G. E.,	Murray, J. J.,	Toomey,
Cianfrani,	Jump,	Musto,	Varallo,
Cioffi,	Kamyk,	Naugle,	Varner,
Cochran,	Kehler,	Needham,	Vaughan,
Comer,	Kent,	Ogilvie,	Wall,
Curwood,	Knecht,	Olsen,	Wallace,
Davis,	Kolankiewicz,	O'Neil,	Walsh,
Donahue,	Kooker,	Pacchioli,	Wargo,
Donaldson,	Kornick,	Parry,	Waterhouse,
Dougherty,	Kratz,	Pashley,	Weidner,
Ehrgood,	Kromer,	Paulhamus,	Welsh,
Eilberg,	Kubacki,	Petrosky,	Wescott,
Erb,	Lawyer,	Pettigrew,	Whitenight,
Eshleman,	Leiby,	Polaski,	Willaredt,
Ewing,	Leisey,	Polen,	Williams,
Farabaugh,	Leonard,	Price,	Wood,
Filo,	Leven,	Pursley,	Worley,
Fineman,	Light,	Readinger,	Yetter,
Flint,	Limper,	Reidenbach,	Yetzer,
Floyd,	Lopresti,	Renwick,	Ziegler,
Flynn,	Lovett,	Rigby,	Andrews,
Frank,	Lutty,	Rosen,	Speaker
		Rovansek,	

NAYS—1

Reibman,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mrs. REIBMAN. Mr. Speaker, I wish to file the following reasons for my vote.

I voted against this appropriation not because I am opposed to historical shrines and the place they take in our historical development, but I opposed the expenditure of money now on this item which I consider as "frills" at this time when money is so desperately needed for education, welfare and mental health. For the same principle that I voted against salary increase for Legislators, is why I voted against this bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1660, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for repairs to the property known as "Old Economy"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars ($40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy" in order further to prepare this property of the Commonwealth for public use as a museum commemorating the life and times of the former owner The Harmony Society its notable part in the industrial development of western Pennsylvania and its world-wide fame as an experiment in community life

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Rover,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reidenbach,	Yetter,
Floyd,	Lopresti,	Renwick,	Yetzer,
Flynn,	Lovett,	Rigby,	Ziegler,
Frank,	Lutty,	Rosen,	Andrews,
			Speaker

NAYS—1

Reibman,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mrs. REIBMAN Mr. Speaker, I wish to file the following reasons for my vote.

I voted against this appropriation not because I am opposed to historical shrines and the place they take in our historical development, but I opposed the expenditure of money now on this item which I consider as "frills" at this time when money is so desperately needed for education, welfare and mental health. For the same principle that I voted against salary increase for Legislators, is why I voted against this bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1661, as follows:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development operation and maintenance of the Point Park in Pittsburgh

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars ($1,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of expenses incurred in continuing the work of demolishing buildings and other expenses incident to the development operation and maintenance of Point Park in Pittsburgh

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boles,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Capano,	Jump,	Musto,	Toll,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki,	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews, Speaker
Frascella.			

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup.
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1662, as follows:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development operation and maintenance of the Independence Mall in Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars ($1,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of expenses incurred in acquisition by purchase or condemnation of properties demolition of buildings and other expenses incident to continuing the development operation and maintenance of the Independence Mall in Philadelphia

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Royer,
Agnew,	Gaffney,	Maxwell,	Rubin,
Amarando,	Garlock,	McCann,	Rudisill,
Anderson, M. S.,	Gelfand,	McCormack,	Sarraf,
Anderson, S. A.,	George,	McGee,	Scarcelli,
Ashton,	Gibb,	McLaughlin,	Schuster,
Auker,	Gibson,	McWherter,	Sherman,
Banker,	Goldstein,	Meholchick,	Smith, C. C.,
Barnatovich,	Gramlich,	Metz,	Smith, Wm. B.,
Bazin,	Guss,	Mihm,	Snider,
Boles,	Hamilton, R. K.,	Mikula,	Stank,
Bonner,	Hass,	Mills,	Stebbins,
Boory,	Haudenshield,	Monroe,	Stephens,
Bower,	Heavey,	Moody,	Stevenson,
Branca,	Henzel,	Moran,	Stone,
Breisch,	Hocker,	Moscrip,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Swartz,
Brenninger,	Houk,	Munley,	Taylor,
Breth,	Jenkins,	Murphy,	Thomas,
Bucchin,	Johnson,	Murray, H. P.,	Toll,
Bullen,	Jones, G. E.,	Murray, J. J.,	Tompkins,

Capano,	Jones, G. E.,	Musto,	Toomey,
Cianfrani,	Jump,	Naugle,	Varallo,
Cioffi,	Kamyk,	Needham,	Varner,
Cochran,	Kehler,	Ogilvie,	Vaughan,
Comer,	Kent,	Olsen,	Wall,
Curwood,	Knecht,	O'Neil,	Wallace,
Davis,	Kolankiewicz,	Pacchioli,	Walsh,
Donahue,	Kooker,	Parry,	Wargo,
Donaldson,	Kornick,	Pashley,	Waterhouse,
Dougherty,	Kratz,	Paulhamus,	Weidner,
Ehrgood,	Kromer,	Petrosky,	Welsh,
Eilberg,	Kubacki,	Pettigrew,	Wescott,
Erb,	Lawyer,	Polaski,	Whitenight,
Eshleman,	Leiby,	Polen,	Willaredt,
Ewing,	Leisey,	Price,	Williams,
Farabaugh,	Leonard,	Pursley,	Wood,
Filo,	Leven,	Readinger,	Worley,
Fineman,	Light,	Reibman,	Yetter,
Flint,	Limper,	Reidenbach,	Yetzer,
Floyd,	Lopresti,	Renwick,	Ziegler,
Flynn,	Lovett,	Rigby,	Andrews,
Frank,	Lutty,	Rosen,	Speaker
Frascella,	Magee,	Rovansek,	

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1663, as follows:

An Act making an appropriation to the Department of Forests and Waters for redevelopment improvement and construction of the Port of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars ($1,000,000) or as much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the redevelopment improvement and construction incident to combining and modernizing the Municipal Piers numbers thirty-eight and forty Port of Philadelphia

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1664 as follows:

An Act making an appropriation to the Department of Forests and Waters for the use of the Washington Crossing Park Commission in the acquisition of land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-six thousand dollars ($26,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of expenses incurred in acquisition by purchase or condemnation of properties demolition of buildings and other expenses incident to the purchase of land by the Washington Crossing Park Commission for the development of Washington Crossing State Park

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,

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Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss.	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst.	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven.	Pursley,	Wood,
Fineman,	Light,	Readinger.	Worley,
Flint,	Limper,	Reidenbach,	Yetter,
Floyd,	Lopresti,	Renwick,	Yetzer,
Flynn,	Lovett,	Rigby,	Ziegler,
Frank,	Lutty,	Rosen,	Andrews,
			Speaker

NAYS—1

Reibman,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy.	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller.	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mrs. REIBMAN. Mr. Speaker, I wish to file the following reasons for my vote.

I voted against this appropriation not because I am opposed to historical shrines and the place they take in our historical development, but I opposed the expenditure of money now on this item which I consider as "frills" at this time when money is so desperately needed for education, welfare and mental health. For the same principle that I voted against salary increase for Legislators, is why I voted against this bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1665 as follows:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in the acquisition of land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twelve thousand forty-five dollars ($12,045) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of expenses incurred in acquisition by purchase or condemnation of properties demolition of buildings incident to the purchase of land by the Valley Forge Park Commission for the development of Valley Forge State Park

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frost,	Mahan,	Royer,
Agnew,	Gaffney,	Maxwell,	Rubin,
Amarando,	Garlock,	McCann,	Rudisill,
Anderson, M. S.,	Gelfand,	McCormack,	Sarraf,
Anderson, S. A.,	George,	McGee,	Scarcelli,
Ashton,	Gibb,	McLaughlin,	Schuster,
Auker,	Gibson,	McWherter,	Sherman,
Banker,	Goldstein,	Meholchick,	Smith, C. C.,
Barnatovich,	Gramlich,	Metz,	Smith, Wm. B.,
Bazin,	Guss,	Mihm,	Snider,
Boles,	Hamilton, R. K.,	Mikula,	Stank,
Bonner,	Hass,	Mills,	Stebbins,
Boory,	Haudenshield,	Monroe,	Stephens,
Bower,	Heavey,	Moody,	Stevenson,
Branca,	Henzel,	Moran,	Stone,
Breisch,	Hocker,	Moscrip,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Swartz,
Brenninger,	Houk,	Munley,	Taylor,
Breth,	Jenkins,	Murphy,	Thomas,
Bucchin,	Johnson,	Murray, H. P.,	Toll,
Bullen,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Capano,	Jump,	Musto,	Toomey,
Cianfrani,	Kamyk,	Naugle,	Varallo,
Cioffi,	Kehler,	Needham,	Varner,
Cochran,	Kent,	Ogilvie,	Vaughan,
Comer,	Knecht,	Olsen,	Wall,
Curwood,	Kolankiewicz,	O'Neil,	Wallace,
Davis,	Kooker,	Pacchioli,	Walsh,
Donahue,	Kornick,	Parry,	Wargo,
Donaldson,	Kratz,	Pashley,	Waterhouse,
Dougherty,	Kromer,	Paulhamus,	Weidner,
Ehrgood,	Kubacki	Petrosky,	Welsh,
Eilberg,	Lawyer,	Pettigrew,	Wescott,
Erb,	Leiby,	Polaski,	Whitenight,
Eshleman,	Leisey,	Polen,	Willaredt,
Ewing,	Leonard,	Price,	Williams,
Farabaugh,	Leven,	Pursley,	Wood,
Filo,	Light,	Readinger,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,			

NAYS—1

Reibman,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mrs. REIBMAN. Mr. Speaker, I wish to file the following reasons for my vote.

I voted against this appropriation not because I am opposed to historical shrines and the place they take in our historical development, but I opposed the expenditure of money now on this item which I consider as "frills" at this time when money is so desperately needed for education, welfare and mental health. For the same principle that I voted against salary increase for Legislators, is why I voted against this bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1666 as follows:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred eighteen thousand seven hundred seventy-six dollars ($118,776) or as much thereof as may be necessary is hereby specifically appropriated out of the Fish Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of thirty-two thousand twenty-three dollars ($32,023) and to the credit of the Contingent Reserve Account the sum of eighty-six thousand seven hundred fifty-three dollars ($86,753)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Magee,	Rovansek,
Agnew,	Frascella,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pasnley	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Ellberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews, Speaker
		Rosen,	

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1667, as follows:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The sum of one million nine hundred eighty-three thousand two hundred eighty-seven dollars ($1,983,287) or as much thereof as may be necessary is hereby specifically appropriated out of the State Stores Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State smployes receiving compensation from the State Stores Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of five hundred thirty-six thousand two hundred forty-two dollars ($536,242) and to the credit of the Contingent Reserve Account the sum of one million four hundred forty-seven thousand forty-five dollars ($1,447,045)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Royer,
Agnew,	Gaffney,	Maxwell,	Rubin,
Amarando,	Garlock,	McCann,	Rudisill,
Anderson, M. S.,	Gelfand,	McCormack,	Sarraf,

Anderson, S. A.,	George,	McGee,	Scarcelli,
Ashton,	Gibb,	McLaughlin,	Schuster,
Auker,	Gibson,	McWherter,	Sherman,
Banker,	Goldstein,	Meholchick,	Smith, C. C.,
Barnatovich,	Gramlich,	Metz,	Smith, Wm. B.,
Bazin,	Guss.	Mihm.	Snider,
Boies,	Hamilton, R. K.,	Mikula,	Stank,
Bonner,	Hass,	Mills,	Stebbins,
Boory,	Haudenshield,	Monroe,	Stephens,
Bower,	Heavey,	Moody,	Stevenson,
Branca,	Henzel,	Moran,	Stone,
Breisch,	Hocker,	Moscrip,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Swartz,
Brenninger,	Houk,	Munley,	Taylor,
Breth,	Jenkins,	Murphy,	Thomas,
Bucchin,	Johnson,	Murray, H. P.,	Toll,
Bullen,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Capano,	Jump,	Musto,	Toomey,
Cianfrani,	Kamyk,	Naugle,	Varallo,
Cioffi,	Kehler,	Needham,	Varner,
Cochran,	Kent,	Ogilvie,	Vaughan,
Comer,	Knecht,	Olsen,	Wall,
Curwood,	Kolankiewicz,	O'Neil,	Wallace,
Davis,	Kooker,	Pacchioli,	Walsh,
Donahue,	Kornick,	Parry,	Wargo,
Donaldson,	Kratz,	Pashley,	Waterhouse,
Dougherty,	Kromer,	Paulhamus,	Weidner,
Ehrgood,	Kubacki,	Petrosky,	Welsh,
Eilberg,	Lawyer,	Pettigrew,	Wescott,
Erb,	Leiby,	Polaski,	Whitenight,
Eshleman,	Leisey,	Polen,	Willaredt,
Ewing,	Leonard,	Price,	Williams,
Farabaugh,	Leven,	Pursley,	Wood,
Filo,	Light,	Readinger,	Worley,
Fineman,	Limper,	Reibman,	Yetter,
Flint,	Lopresti,	Reidenbach,	Yetzer,
Floyd,	Lovett,	Renwick,	Ziegler,
Flynn,	Lutty,	Rigby,	Andrews,
Frank,	Magee,	Rosen,	Speaker
Frascella,		Rovansek,	

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1668, as follows:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-five thousand one hundred ninety-three dollars ($45,193) or as much thereof as may be necessary is hereby specifically appropriated out of the Manufacturing Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of twelve thousand two hundred twenty-seven dollars ($12,227) and to the credit of the Contingent Reserve Account the sum of thirty-two thousand nine hundred sixty-six dollars ($32,966)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Gramlich,	Meholchick,	Sherman,
Barnatovich,	Goldstein,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boies,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki,	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consid-

eration of House Bill No. 1669, as follows:.

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thirty-six thousand three hundred eighty-nine dollars ($236,389) or as much thereof as may be necessary is hereby specifically appropriated out of the Game Fund to the State Employes Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of sixty-two thousand eight hnudred eighty-two dollars ($62,882) and to the credit of the Contingent Reserve Account the sum of one hundred seventy-three thousand five hundred seven dollars ($173,507)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli.
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss.	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Clanfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Ellberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey.	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1670, as follows:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four million two hundred twenty-nine thousand seven hundred eighty-eight dollars ($4,229,788) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Eemloyes' Retirement System with respect to State employes receiving compensation from the Motor License Fund

Section 2 Or the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of one million one hundred twenty-nine thousand five hundred forty-three dollars ($1,129,-543) to the credit of the Contingent Reserve Account the sum of three million fifty thousand two hundred forty-five dollars ($3,050,245) and to the credit of the Pennsylvania State Police Retirement Account the sum of fifty thousand dollars ($50,000)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss.	Mihm,	Smith, Wm. B.,
Boies,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,

Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki,	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1671, as follows:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred two thousand two hundred ten dollars ($202,210) or as much thereof as may be necessary is hereby specifically appropriated out of the State Workmen's Insurance Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of fifty-four thousand seven hundred thirty dollars ($54,730) and to the credit of the Contingent Reserve Account the sum of one hundred forty-seven thousand four hundred eighty dollars ($147,480)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boles,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki,	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1672, as follows:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ninety-five thousand twenty-two dollars ($95,022) or as much thereof as may be necessary is hereby specifically appropriated out of the Banking

Department Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of twenty-five thousand six hundred nineteen dollars ($25,619) and to the credit of the Contingent Reserve Account the sum of sixty-nine thousand four hundred three dollars ($69,403)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Licht,	Readinger,	Worley,
Flint,	Limner,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

APPROPRIATION BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1687, entitled

An Act amending the Act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating the Advisory Board on Problems of Older Workers within the Department of Labor and Industry and placing additional powers and duties in the Department of Labor and Industry with respect to aging and aged persons.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

APPROPRIATION BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1694, as follows:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred seventy-nine thousand two hundred seventy-five dollars ($179,275) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the purpose of administering the provisions of the "Pennsylvania Hospital Survey and Construction Act of 1947" for the two fiscal years beginning June first one thousand nine hundred fifty-five and in addition to said amount all moneys received from the Federal Government and from other sources for such purposes shall be credited to the appropriation made by this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,

Ashton,	Gibb,	McLaughlin,	Scarcelli,
Banker,	Gibson,	McWherter,	Schuster,
Barnatovich,	Goldstein,	Meholchick,	Sherman,
Bazin,	Gramlich	Metz,	Smith, C. C.,
Boies,	Guss,	Mihm,	Smith, Wm. B.,
Bonner,	Hamilton, R. K.,	Mikula,	Snider,
Boory,	Hass,	Mills,	Stank,
Bower,	Haudenshield,	Monroe,	Stebbins,
Branca,	Heavey,	Moody,	Stephens,
Breisch,	Henzel,	Moran,	Stevenson,
Brennan, A. P.,	Hocker,	Moscrip,	Stone,
Brennan, J. J.,	Holt,	Muldowney,	Stoner,
Brenninger,	Horst,	Mullen,	Strausser,
Breth,	Houk,	Munley,	Swartz,
Bucchin,	Jenkins,	Murphy,	Taylor,
Bullen,	Johnson,	Murray, H. P.,	Thomas,
Capano,	Jones, G. E.,	Murray, J. J.,	Toll,
Cianfrani,	Jump,	Musto,	Tompkins,
Cioffi,	Kamyk,	Naugle,	Toomey,
Cochran,	Kehler,	Needham,	Varallo,
Comer,	Kent,	Ogilvie,	Varner,
Curwood,	Knecht,	Olsen,	Vaughan,
Davis,	Kolankiewicz,	O'Neil,	Wall,
Donahue,	Kooker,	Pacchioli,	Wallace,
Donaldson,	Kornick,	Parry,	Walsh,
Dougherty,	Kratz,	Pashley,	Wargo,
Ehrgood,	Kromer,	Paulhamus,	Waterhouse,
Eilberg,	Kubacki	Petrosky,	Weidner,
Erb,	Lawyer,	Pettigrew,	Welsh,
Eshleman,	Leiby,	Polaski,	Wescott,
Ewing,	Leisey,	Polen,	Whitenight,
Farabaugh,	Leonard,	Price,	Willaredt,
Filo,	Leven,	Pursley,	Williams,
Fineman,	Light,	Readinger,	Wood,
Flint,	Limper,	Reibman,	Worley,
Floyd,	Lopresti,	Reidenbach,	Yetter,
Flynn,	Lovett,	Renwick,	Yetzer,
Frank,	Lutty,	Rigby,	Ziegler,
Frascella,	Magee,	Rosen,	Andrews, Speaker

NAYS—1

Auker,

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House preceeded to the third reading and consideration of House Bill No. 1703 as follows:

An Act making an appropriation to the Forests and Waters for payment into the Flood Control Fund for flood control purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars ($1,000,000) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Food Control Fund in the State Treasury for the purpose of making the same available for the purpose for which such Flood Control Fund is appropriated by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boies,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki,	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews, Speaker
Frascella,			

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House preceeded to the third reading and consideration of House Bill No. 1704 as follows:

An Act making an appropriation to the Department of Forests and Waters for payment of the Commonwealth of Pennsylvania's share of costs for salary and expenses of the River Master for the Delaware River required by Decree of the United State Supreme Court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for payment of the Commonwealth

of Pennsylvania's share of costs for salary and expenses of the River Master for the Delaware River required by Decree of the United States Supreme Court for the two fiscal years beginning June first one thousand nine hundred fifty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boies,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House preceeded to the third reading and consideration of Senate Bill No. 331, as follows:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred dollars ($600) or as much thereof as is necessary is specifically appropriated for the two fiscal years beginning June 1 1955 to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township and for the purpose of improving and replacing bridges and their abutments on such roads and highways The money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boies,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS ON THIRD READING

BILLS PASSED OVER

Their being no objection

House Bill No. 257 Printer's No. 679
House Bill No. 501 Printer's No. 913
House Bill No. 549 Printer's No. 902
House Bill No. 873 Printer's No. 875
House Bill No. 929 Printer's No. 876
House Bill No. 1219 Printer's No. 383
House Bill No. 1226 Printer's No. 827
House Bill No. 1236 Printer's No. 692 and
House Bill No. 1268 Printer's No. 896

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House preceeded to the third reading and consideration of House Bill No. 1319 as follows:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" clarifying the effect of certain provisions of the act with respect to powers granted by other laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XI act of May 1, 1933 (P. L. 103) known as "The Second Class Township Code" reenacted and amended July 10, 1947 (P. L. 1481) is amended by adding at the end thereof a new subdivision to read

Article XI

Roads Streets and Highways

* * *

(r) Legislative Intent

Section 1197 Powers and Exercise Thereof Supplemental to Other Laws The foregoing sections in this Article XI shall be deemed to provide an additional and alternative method for the doing of things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers granted by other laws

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boles,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki,	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Ewing,	Leisey,	Price,	Willaredt,
Eshleman,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews, Speaker
Frank,	Magee,	Rovansek,	
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1413 Printer's No. 834

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1513 as follows:

An Act relating to the transaction of business in the Commonwealth by a foreign banking corporation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Notwithstanding any law to the contrary a foreign bank may (1) contract in this Commonwealth with a banking institution engaged in the business of banking under the laws of the Commonwealth to acquire from the banking institution a part interest or the entire interest in a loan which the banking institution proposes to make together with a like interest in any security and any security instrument proposed to be given to the banking institution to secure or evidence the loan (2) enforce in the Commonwealth obligations acquired by it in the transaction of business outside of the Commonwealth or in the transaction of any business authorized by this section (3) acquire hold lease mortgage contract with respect to or otherwise protect or convey property in the Commonwealth assigned transferred mortgaged or

conveyed to it as security for or in whole or part satisfaction of a loan or loans made by it or obligations acquired by it in the transaction of business outside of the Commonwealth or in the transaction of any business authorized by this section

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Rubin,
Agnew,	Gaffney,	McCann,	Rudisill,
Amarando,	Garlock,	McCormack,	Sarraf,
Anderson, M. S.,	Gelfand,	McGee,	Scarcelli,
Anderson, S. A.,	George,	McLaughlin,	Schuster,
Ashton,	Gibb,	McWherter,	Sherman,
Auker,	Gibson,	Meholchick,	Smith, C. C.
Banker,	Goldstein,	Metz,	Smith, Wm. B.
Barnatovich,	Gramlich,	Mihm,	Snider,
Bazin,	Guss,	Mikula,	Stank,
Boies,	Hamilton, R. K.,	Mills,	Stebbins,
Bonner,	Hass,	Monroe,	Stephens,
Boory,	Haudenshield,	Moody,	Stevenson,
Bower,	Heavey,	Moran,	Stone,
Branca,	Henzel,	Moscrip,	Stoner,
Breisch,	Hocker,	Muldowney,	Strausser,
Brennan, A. P.,	Holt,	Mullen,	Swartz,
Brennan, J. J.,	Horst,	Munley,	Taylor,
Brenninger,	Houk,	Murphy,	Thomas,
Breth,	Jenkins,	Murray, H. P.,	Toll,
Bucchin,	Johnson,	Murray, J. J.,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jump,	Naugle,	Varallo,
Cianfrani,	Kamyk,	Needham,	Varner,
Cioffi,	Kehler,	Ogilvie,	Vaughan,
Cochran,	Kent,	Olsen,	Wall,
Comer,	Knecht,	O'Neil,	Wallace,
Curwood,	Kolankiewicz	Pacchioli,	Walsh,
Davis,	Kooker,	Parry,	Wargo,
Donahue,	Kornick,	Pashley,	Waterhouse,
Donaldson,	Kratz,	Paulhamus,	Weidner,
Dougherty,	Kromer,	Petrosky,	Welsh,
Ehrgood,	Kubacki,	Pettigrew,	Wescott,
Eilberg,	Lawyer,	Polaski,	Whitenight,
Erb,	Leiby,	Polen,	Willaredt,
Eshleman,	Leisey,	Price,	Williams,
Ewing,	Leonard,	Pursley,	Wood,
Farabaugh,	Leven,	Readinger,	Worley,
Filo,	Light,	Reibman,	Yetter,
Fineman,	Limper,	Reidenbach,	Yetzer,
Flint,	Lopresti,	Renwick,	Ziegler,
Floyd,	Lovett,	Rigby,	Andrews,
Flynn,	Lutty,	Rosen,	Speaker
Frank,	Magee,	Rovansek,	
Frascella,	Mahan,	Royer,	

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1562 Printer's No. 607
House Bill No. 1618 Printer's No. 837
House Bill No. 1674 Printer's No. 838
House Bill No. 1707 Printer's No. 842 and
House Bill No. 1735 Printer's No. 917

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 117 as follows:

An Act amending the act of May 2 1929 (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing collection of data concerning deceased veterans of armed conflicts authorizing the erection of monuments for and giving retirement benefits to veterans of armed conflicts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section 320 act of May 2 1929 (P. L. 1278) known as "The General County Law" amended May 31 1947 (P. L. 354) is amended to read

Section 320 Persons Entitled to Retirement Allowances

(c) Any county employe who has been employed by the county for a period of six months and who thereafter shall enlist in or be inducted into the military service of the United States in time of war armed conflict or national emergency so proclaimed by the President of the United States shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war armed conflict or national emergency and such payments as are required to be made by such county employe into the county employes' retirement fund shall be paid into such fund by the county

Section 2 Subsection (c) of section 439 of the act amended April 14, 1949 (P. L. 466) is amended to read

Section 439 Compilation of War Records

(c) For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war or armed conflict in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion the Disabled American Veterans the American Veterans of World War II (AMVETS) and the Marine Corps League through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificate embodying the information provided for in this section For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a director of veterans affairs who shall receive such compensation as the salary board may fix in counties where such boards exist otherwise by the county commissioners

Section 3 Section 590 of the act amended May 18 1945 (P. L. 806) is amended to read

Section 590 Monuments and Memorials to War Veterans The board of commisioners may appropriate money for and provide for the erection of monuments or memorials commemorating the services of any person who has served in the armed forces of the United States or in any women's organization officially connected therewith during any part of the war in which the United States is now engaged or in any war or armed conflict in which the United States has been or may hereafter be engaged The style and character of such monuments or memorials shall be approved by the State Art Commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb.	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boies,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 126 as follows:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" authorizing certain political subdivisions to take part in appeals through their solicitors or special counsel

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 702 act of May 21, 1943 (P. L. 571) known as "The Fourth to Eighth Class County Assessment Law" amended January 18, 1952 (P. L. 2138) is amended to read

Section 702 Appeal Hearings On the first business day following the first of September the board shall meet for the hearing of appeals and shall continue to meet for such purpose from time to time until all persons who have stated their intention to appeal have been heard and the appeals acted upon but not later than the first day of October The board shall notify each person who has filed a statement of intention to appeal of the time and place where he shall appear for the purpose of being heard by depositing such notice in the mail addressed to such person at the address designated in the statement of intention to appeal not later than the fifth day preceding the day designated in the notice for such appearance All hearings on appeals before the board shall be open to the public and shall be conducted in accordance with regulations prescribed by the board Any person may appear and be heard either in person or by counsel Any political subdivision having an interest in assessment may appear and be heard either by its solicitor or counsel specially engaged for such purpose At such hearing the board shall inquire as to the equity of the assessment appealed from in relation to other similar assessments as well as to the proper value of the subject or object assessed and after such hearing shall make such order as to it seems just and equitable affirming raising or lowering the assessment appealed from The order of the board shall be entered in the minutes of the board and a copy of such order shall be delivered to the person who appealed either in person or by mail to the address shown in the statement of intention to appeal within five days after the hearing on such appeal The chief assessor and such assistant assessors as he or the board may designate shall attend each hearing and shall furnish the board with such information relating to the assessment appealed from as the board may desire Either the board or the person appealing may call such witnesses as they desire and as may be permitted under the rules of the board and the board may examine such witnesses under oath For the purpose of examining witnesses any member of the board shall be competent to administer oaths

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,

Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 142 as follows:

An Act amending the act of May 2, 1949 (P. L. 872) entitled "An act granting credit toward pension or retirement benefits of certain members of the police force employed by political subdivisions for time spent in military service of the United States" granting credit for military service during armed conflicts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of May 2, 1949 (P. L. 872), entitled "An act granting credit toward pension or retirement benefits of certain members of the police force employed by political subdivisions for time spent in the military service of the United States" is amended to read

Section 1 Any member of the police force employed by a political subdivision who has been a regularly appointed employe of any such political subdivision for a period of at least six months and who thereafter shall heretofore or hereafter be inducted into the military service of the United States in time of war armed conflict or national emergency so proclaimed by the President of the United States shall have credited to his employment record for pension or retirement benefits all of the time spent by him in such military service during the continuance of such war armed conflict or national emergency if such person returns or has heretofore returned to his employment within six months after his separation from the service

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire at this time to make a brief statement which is applicable to several bills which follow relating to veterans.

The House several weeks ago passed similar bills and they are now in a Senate Committee. However, the Senate has passed these bills and sent them over to the House, and rather than get into a wrangle as to whether the House bills should become the bills finally enacted or the Senate bills, we have decided that these bills should be reported out and enacted so that they can go on the statute books of the Commonwealth.

We want the public to know that both sides are equally interested in the affairs of veterans and, therefore, we are moving these bills to final passage.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Mahan,	Rovansek,
Agnew,	Gaffney,	Maxwell,	Royer,
Amarando,	Garlock,	McCann,	Rubin,
Anderson, M. S.,	Gelfand,	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	Gibb,	McLaughlin,	Scarcelli,
Auker,	Gibson,	McWherter,	Schuster,
Banker,	Goldstein,	Meholchick,	Sherman,
Barnatovich,	Gramlich,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Boles,	Hamilton, R. K.,	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	Haudenshield,	Monroe,	Stebbins,
Bower,	Heavey,	Moody,	Stephens,
Branca,	Henzel,	Moran,	Stevenson,
Breisch,	Hocker,	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	Jump,	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	Toomey,
Cioffi,	Kehler,	Needham,	Varallo,
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	Olsen,	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	Wall,
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	Kornick,	Parry,	Walsh,
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	Kubacki	Petrosky,	Weidner,
Eilberg,	Lawyer,	Pettigrew,	Welsh,
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	Polen,	Whitenight,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	Pursley,	Williams,
Filo,	Light,	Readinger,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	Renwick,	Yetzer,

Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 146, as follows:

An Act amending the act of June 11 1935 (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of June 11 1935 (P. L. 326) entitled "an act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" amended May 21 1943 (P. L. 294) is amended to read

Section 1 Be it enacted &c Definition The term "deceased service persons" as used in this act shall be defined and construed to mean and include

(1) Any deceased person who at the time of his or her death was serving (whether or not in combat zone) in the Army Navy Marine Corps or Coast Guard during any war or armed conflict in which the United States has been is now or shall hereafter be engaged or who at the time of his or her death was serving in a zone where a campaign or state or condition of war or armed conflict then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war or armed conflict and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war or armed conflict existed shall in each case be established by the records of the War or Naval Departments of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose separation from such service was honorable whether by discharge or otherwise or who at the time of his or her death was continuing in such service after the cessation of the war armed conflict campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and has been honorably discharged or relieved from such service

The term "legal residence" as used in this act shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the Bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.,
Boies,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 192, Printer's No. 246

was passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 199, as follows:

An Act amending the act of July 28 1953 (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2108 act of July 28 1953 (P. L. 723) known as the "Second Class County Code" is amended to read

Section 2108 Definitions (a) The term "deceased service person" as used in this subdivision shall mean and include

(1) Any deceased person who at the time of his or her death was serving (whether or not in a combat zone) in the Army Navy Air Force Marine Corps Coast Guard or any women's organization officially connected therewith during any war or armed conflict in which the United States has been is now or shall hereafter be engaged or who at the time of his or her death was serving in a zone where a campaign or state or condition of war or armed conflict then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war or armed conflict and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war or armed conflict existed shall in each case be established by the records of the Department of Defense of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose separation from such service was honorable whether by discharge or otherwise or who at the time of his or her death was continuing in such service after the cessation of the war armed conflict campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War who was not duly mustered into the service of the United States but was honorably discharged or relieved from such service

(b) The term "legal residence" as used in this subdivision shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the Bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Rigby,	Reidenbach,
Agnew,	Frost,	Rosen,	Renwick,
Amarando,	Gaffney,	Rovansek,	Rubin,
Anderson, M. S.,	Garlock,	Royer,	Rudisill,
Anderson, S. A.,	Gelfand,	Magee,	Sarraf,
Ashton,	George,	Mahan,	Scarcelli,
Auker,	Gibb,	Maxwell,	Schuster,
Banker,	Gibson,	McCann,	Sherman,
Barnatovich,	Goldstein,	McCormack,	Smith, C. C.,
Bazin,	Gramlich,	McGee,	Smith, Wm. B.,
Boies,	Guss,	McLaughlin,	Snider,
Bonner,	Hamilton, R. K.,	McWherter,	Stank,
Boory,	Hass,	Meholchick,	Stebbins,
Bower,	Haudenshield,	Metz,	Stephens,
Branca,	Heavey,	Mihm,	Stevenson,
Breisch,	Henzel,	Mikula,	Stone,
Brennan, A. P.,	Hocker,	Mills,	Stoner,
Brennan, J. J.,	Holt,	Monroe,	Strausser,
Brenninger,	Horst,	Moody,	Swartz,
Breth,	Houk,	Moran,	Taylor,
Bucchin,	Jenkins,	Moscrip,	Thomas,
Bullen,	Johnson,	Muldowney,	Toll,
Capano,	Jones, G. E.,	Mullen,	Tompkins,
Cianfrani,	Jump,	Munley,	Toomey,
Cioffi,	Kamyk,	Murphy,	Varallo,
Cochran,	Kehler,	Murray, H. P.,	Varner,
Comer,	Kent,	Murray, J. J.,	Vaughan,
Curwood,	Knecht,	Musto,	Wall,
Davis,	Kolankiewicz,	Naugle,	Wallace,
Donahue,	Kooker,	Needham,	Walsh,
Donaldson,	Kornick,	Ogilvie,	Wargo,
Dougherty,	Kratz,	Olsen,	Waterhouse,
Ehrgood,	Kromer,	O'Neil,	Weidner,
Eilberg,	Kubacki	Pacchioli,	Welsh,
Erb,	Lawyer,	Parry,	Wescott,
Eshleman,	Leiby,	Pashley,	Whitenight,
Ewing,	Leisey,	Paulhamus,	Willaredt,
Farabaugh,	Leonard,	Pettigrew,	Williams,
Filo,	Leven,	Petrosky,	Wood,
Fineman,	Light,	Polaski,	Worley,
Flint,	Limper,	Polen,	Yetter,
Floyd,	Lopresti,	Price,	Yetzer,
Flynn,	Lovett,	Pursley,	Ziegler,
Frank,	Lutty,	Readinger,	Andrews,
		Reibman,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 200, as follows:

An Act amending the act of June 4 1937 (P L 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" extending retirement benefits to veterans of armed conflicts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 10.1 act of June 4 1937 (P L 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges

on counties" added May 20 1949 (P L 1560) is amended to read

Section 10.1 Any county employe who on or after the sixteenth day of September one thousand nine hundred forty has been employed by the county for a period of six months and who on or subsequent to such date shall have enlisted or been inducted into the military service of the United States in time of war armed conflict or national emergency so proclaimed by the President or the Congress of the United States shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war armed conflict or national emergency and such payments as were heretofore or shall hereafter be required to be made during such period by such county employe into the county employes' retirement fund shall be paid into such fund by the county Any employes who have made payments into the county employes' retirement fund for which payments the county is liable under the provisions of this amendment shall be reimbursed by the county to the full extent of such payments or be given credit towards future payments under this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the Bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frascella,	Magee,	Rovansek,
Agnew,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Maxwell,	Rubin,
Anderson, M. S.,	Garlock,	McCann,	Rudisill,
Anderson, S. A.,	Gelfand,	McCormack,	Sarraf,
Ashton,	George,	McGee,	Scarcelli,
Auker,	Gibb,	McLaughlin,	Schuster,
Banker,	Gibson,	McWherter,	Sherman,
Barnatovich,	Goldstein,	Meholchick,	Smith, C. C.,
Bazin,	Gramlich,	Metz,	Smith, Wm. B.
Boles,	Guss,	Mihm,	Snider,
Bonner,	Hamilton, R. K.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Stephens,
Branca,	Heavey,	Moody,	Stevenson,
Breisch,	Henzel,	Moran,	Stone,
Brennan, A. P.,	Hocker,	Moscrip,	Stoner,
Brennan, J. J.,	Holt,	Muldowney,	Strausser,
Brenninger,	Horst,	Mullen,	Swartz,
Breth,	Houk,	Munley,	Taylor,
Bucchin,	Jenkins,	Murphy,	Thomas,
Bullen,	Johnson,	Murray, H. P.,	Toll,
Capano,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jump,	Musto,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Cochran,	Kehler,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Curwood,	Knecht,	Olsen,	Wall,
Davis,	Kolankiewicz,	O'Neil,	Wallace,
Donahue,	Kooker,	Pacchioli,	Walsh,
Donaldson,	Kornick,	Parry,	Wargo,
Dougherty,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lawyer,	Pettigrew,	Wescott,
Eshleman,	Leiby,	Polaski,	Whitenight,
Ewing,	Leisey,	Polen,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Filo,	Leven,	Pursley,	Wood,
Fineman,	Light,	Readinger,	Worley,
Flint,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Yetzer,
Flynn,	Lovett,	Renwick,	Ziegler,
Frank,	Lutty,	Rigby,	Andrews,
		Rosen,	Speaker

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 203, as follows:

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 421 act of May 2 1929 (P L 1278) known as "The General County Law" amended April 10 1945 (P L 178) is amended to read

Section 421 Definitions The term "deceased service persons" as used in this act shall be defined and construed to mean and include

(1) Any deceased persons who at the time of his or her death was serving (whether or not in a combat zone) in the Army Navy Marine Corps Coast Guard or any women's organization officially connected therewith during any war or armed conflict in which the United States has been is now or shall hereafter be engaged or who at the time of his or her death was serving in a zone where a campaign or state or condition of war or armed conflict then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war or armed conflict and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war or armed conflict existed shall in each case be established by the records of the War or Naval Departments of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose separation from such service was honorable whether by discharge or otherwise or who at the time of his or her death was continuing in such service after the cessation of the war armed conflict campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and has been honorably discharged or relieved from such service

The term "legal residence" as used in this act shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the Bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Rovansek,	Mahan,	Royer,
Agnew,	Frost,	Maxwell,	Rubin,
Amarando,	Gaffney,	McCann,	Rudisill,
Anderson, M. S.,	Garlock,	McCormack,	Sarraf,
Anderson, S. A.,	Gelfand,	McGee,	Scarcelli,
Ashton,	George,	McLaughlin,	Schuster,
Auker,	Gibb,	McWherter,	Sherman,
Banker,	Gibson,	Meholchick,	Smith, C. C.,
Barnatovich,	Goldstein,	Metz,	Smith, Wm. B.,
Bazin,	Gramlich,	Mihm,	Snider,
Boles,	Guss,	Mikula,	Stank,
Bonner,	Hamilton, R. K.,	Mills,	Stebbins,
Bower,	Hass,	Monroe,	Stephens,
Boory,	Haudenshield,	Moody,	Stevenson,
Branca,	Heavey,	Moran,	Stone,
Breisch,	Henzel,	Moscrip,	Stoner,
Brennan, A. P.,	Hocker,	Muldowney,	Strausser,
Brennan, J. J.,	Holt,	Mullen,	Swartz,
Brenninger,	Horst,	Munley,	Taylor,
Breth,	Houk,	Murray, H. P.,	Thomas,
Bucchin,	Jenkins,	Murray, J. J.,	Toll,
Bullen,	Johnson,	Murphy,	Tompkins,
Capano,	Jones, G. E.,	Musto,	Toomey,
Cianfrani,	Jump,	Naugle,	Varallo,
Cioffi,	Kamyk,	Needham,	Varner,
Cochran,	Kehler,	Ogilvie,	Vaughan,
Comer,	Kent,	Olsen,	Wall,
Curwood,	Knecht,	O'Neil,	Wallace,
Davis,	Kolankiewicz,	Pacchioli,	Walsh,
Donahue,	Kooker,	Parry,	Wargo,
Donaldson,	Kornick,	Pashley,	Waterhouse,
Dougherty,	Kratz,	Paulhamus,	Weidner,
Ehrgood,	Kromer,	Petrosky,	Welsh,
Eilberg,	Kubacki,	Pettigrew,	Wescott,
Erb,	Lawyer,	Polaski,	Whitenight,
Eshleman,	Leiby,	Polen,	Willaredt,
Ewing,	Leisey,	Price,	Williams,
Farabaugh,	Leonard,	Pursley,	Wood,
Filo,	Leven,	Readinger,	Worley,
Fineman,	Light,	Reibman,	Yetter,
Flint,	Limper,	Reidenbach,	Yetzer,
Floyd,	Lopresti,	Renwick,	Ziegler,
Flynn,	Lovett,	Rigby,	Andrews,
Frank,	Lutty,	Rosen,	Speaker
Frascella,	Magee,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 254, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and the licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace and courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the maximum length of truck tractor and semi-trailer combinations carrying motor vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (g) of Section 902 of the Act of May 1 1929 (P. L. 905) known as the "Vehicle Code" amended Juy 25 1953 (P. L. 554) is hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

* * * * *

(g) No truck tractor and semi-trailer coulped together except fire department equipment shall exceed a total maximum length inclusive of load and bumpers of five hundred forty (540) inches excepting that until but not after January first one thousand nine hundred forty-one any truck tractor and semi-trailer properly registered in this Commonwealth on the effective date of this act may when coupled together be of a total maximum length not exceeding seventy (70) feet excepting further that nothing in this subsection shall prohibit the transportation of articles of dismemberment which no not exceed seventy (70) feet Provided however That any combination of a truck tractor and A semi-trailer designed exclusively for carrying motor vehicles may exceed such total maximum length by not more than thirty (30) inches

Section 2 This act shall be effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the Bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Adam,	Frank,	Lutty,	Rovansek,
Agnew,	Frascella,	Magee,	Rubin,
Amarando,	Frost,	Mahan,	Rudisill,
Anderson, M. S.,	Gaffney,	Maxwell,	Sarraf,
Anderson, S. A.,	Garlock,	McCann,	Scarcelli,
Ashton,	Gelfand,	McCormack,	Schuster,
Auker,	George,	McGee,	Sherman,
Banker,	Gibb,	McLaughlin,	Smith, C. C.,
Barnatovich,	Gibson,	McWherter,	Smith, Wm. B.,
Bazin,	Goldstein,	Meholchick,	Snider,
Boles,	Gramlich,	Metz,	Stank,
Bonner,	Guss,	Mihm,	Stebbins,
Boory,	Hamilton, R. K.,	Mikula,	Stephens,
Bower,	Hass,	Mills,	Stevenson,
Branca,	Haudenshield,	Monroe,	Stone,
Breisch,	Heavey,	Moody,	Stoner,
Breth,	Henzel,	Muldowney,	Strausser,
Brennan, A. P.,	Hocker,	Mullen,	Swartz,
Brennan, J. J.,	Holt,	Munley,	Taylor,
Brenninger,	Horst,	Murphy,	Thomas,
Bucchin,	Houk,	Murray, H. P.,	Toll,
Bullen,	Jenkins,	Murray, J. J.,	Toomey,
Capano,	Johnson,	Musto,	Varallo,
Cianfrani,	Jones, G. E.,	Naugle,	Varner,
Cioffi,	Jump,	Needham,	Vaughan,
Cochran,	Kehler,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Curwood,	Knecht,	O'Neil,	Walsh,

Davis,	Kolankiewicz,	Pacchioli,	Wargo,
Donahue,	Kooker,	Parry,	Waterhouse,
Donaldson,	Kornick,	Pashley,	Weidner,
Dougherty,	Kratz,	Paulhamus,	Welsh,
Ehrgood,	Kromer,	Petrosky,	Wescott,
Erb,	Kubacki,	Pettigrew,	Whitenight,
Eshleman,	Lawyer,	Polaski,	Willaredt,
Ewing,	Leiby,	Polen,	Williams,
Ellberg,	Leisey,	Price,	Wood,
Farabaugh,	Leonard,	Pursley,	Worley,
Filo,	Leven,	Readinger,	Yetter,
Fineman,	Light,	Reidenbach,	Yetzer,
Flint,	Limper,	Renwick,	Ziegler,
Floyd,	Lopresti,	Rigby,	Andrews,
Flynn,	Lovett,	Rosen,	Speaker
		Royer,	

NAYS—5

Kamyk,	Moscrip,	Reibman,	Tompkins,
Moran,			

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 290, as follows:

An Act amending the act of June 12 1919 (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" changing the required contents of the articles of association providing for additional methods in electing directors changing the vote for amendment of articles and dissolution of association and eliminating auditing committee service in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause VI of section 4 and section 12 act of June 12 1919 (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" amended May 1 1929 (P. L. 1201) are amended to read

Section 4 The articles of association of an intended association must be subscribed by five or more persons three of whom must be citizens of this Commonwealth and shall set forth

* * *

VI The number of its directors for the first year not less than five and the names and residences of those who are chosen for directors for the first year and the name and residence of the treasurer

* * *

Section 12 Within thirty days after the recording of the articles of association in the office of the recorder of deeds as prescribed in section four of this act a call signed by not less than a majority of the directors shall be issued for a meeting of the members At such meeting or any adjourned session or sessions thereof by-laws regulating and conducting the management of the association shall be adopted Such by-laws shall within the limits of this act prescribe

1 The time place and manner of calling and holding meetings

2 The number and qualification of members the conditions under which membership shall be granted and terminated rules governing the exercise of the privileges of members and the issuance transfer and cancellation of membership certificates and the manner of ascertaining the interest of members in the assets if any of the association

3 The number of directors the time and manner of their election and removal their powers and duties the number not less than a majority necessary to the exercise of their powers and the method of fixing their compensation if any The by-laws may provide a system for the nomination of directors by a representative advisory body or council or otherwise and for their election either at large or by districts by votes cast by members in district or local meetings the return of such votes to be made to the central office for tabulation

4 The officers their terms of office the time and manner of their appointment and removal their powers duties and the method of fixing their compensation if any

5 The manner of fixing and collecting fees dues and other assessments or charges for services to its members

6 Any other provisions proper and necessary to carry out the purposes for which the association was formed

The by-laws of such association so created under the provisions of this statute shall be deemed to be taken as the law subordinate to this [statue] statute the articles of association of the same and letters patent issued thereon the Constitution and laws of this Commonwealth and the Constitution and laws of the United States

Section 2 Section 14 of the act amended May 20 1931 (P. L. 141) is amended to read

Section 14 The board of directors of each association shall consist of not less than five members At the first regular meeting of the association a quorum as specified by the by-laws being present the members shall elect from among themselves directors for [the] such term [of one year At the expiration of the terms of directors so elected their successors shall be elected in like manner for terms of one year Provided That certain directors may be elected for terms longer than one year so that thereafter one-third as nearly as possible of such directors may be elected every year for terms of three years] as the by-laws may prescribe The by-laws of the association may provide a method by which directors shall be nominated and elected and may provide that the territory in which the association has members shall be divided into districts and may apportion the directors to be elected in the respective districts on the basis either of the member or members or the quantity of the commodities produced for sale through the association in the respective districts and the members' meeting for the nomination and election of directors may be held either at the principal office of the association or at district or local meetings of the members held at the usual meeting places of local groups of members that are organized for administrative purposes in the several communities or by delegates or representatives chosen for that purpose by the members in meeting assembled in the several local communities as the by-laws may direct Directors shall hold office until their successors have been elected and qualified and until their successors shall enter upon the discharge of their duties Vacancies shall be filled for the unexpired terms by the board of directors at any regular meeting or at any special meeting called for the purpose [by the board of directors] The board of directors shall manage the affairs of the association and shall perform such other duties as may be specifically imposed upon the board by this act The board of directors may be a continuing body the terms of one-third or as near as may be of whom shall expire each year and by-laws of the association may so regulate the terms of directors including the terms of additional directors that may be authorized from time to time as to make effective this principle

Section 3 The first paragraph of section 18 of the act amended July 29 1953 (P. L. 1016) is amended to read

Section 18 Every association having a gross annual income not exceeding two thousand dollars ($2,000) shall from time to time appoint an auditing committee of three persons who shall not be directors officers agents or employes of the association but who may or may not be members of said association Said committee shall at [least once in] the close of each fiscal year of such association examine its records and property and within one month after such examination report in writing the results thereof to the association At the close of each fiscal year in associations having a gross annual income exceeding two thousand dollars ($2,000) a complete audit of the operations of the association shall be made [in the case of associations having a gross annual income not exceeding two thousand dollars by said committee in all other cases] by a qualified accountant or accountants employed by the board of directors the written report of whom shall include statements of services rendered by the association the balance sheet the receipts and disbursements and the assets and liabilities the members admitted and withdrawn the total number of members and other proper information and shall be submitted to the members at the next regular meeting Within three months after the expiration of the fiscal year for which made the secretary of said association shall file a summary of the statistical information contained in the report of audit with the Secretary of Agriculture of this Commonwealth and with the Dean of the [School] College of Agriculture of the Pennsylvania State [College] University upon a form prescribed by the Secretary of Agriculture with the approval of the Dean of the [School] College of Agriculture

* * *

Section 4 Sections 129 and 20 of the act are amended to read

Section 19 The articles of association may pursuant to an affirmative vote of two-thirds of all the members in attendance be amended at any regular meeting or at a special general district or local meeting called for the purpose due notice of the time place and object of which regular or special general district or local meeting shall have been given as prescribed in the by-laws A copy of such amendment signed and acknowledged by not less than three of the directors shall be presented to the Governor of the State of Pennsylvania who shall examine the same and if he finds it in proper form he shall indorse his approval thereon Said amendment shall then be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose The said amendment together with the indorsements thereon shall then be recorded in the office for the recording of deeds in the county where the principal place of business is situate

Section 20 Any association may at any regular meeting or at any special general district or local meeting called for the purpose due notice of the time place and object of which regular or special general district or local meeting shall have been given as prescribed in the by-laws by a vote of [two-thirds] a majority of all its members discontinue its operations and settle its affairs Whereupon it shall designate a committee of three members who shall on behalf of the association and within a time fixed and designated or any extension thereof liquidate its assets pay its debts and expenses and divided any surplus among the members as may be entitled to under the article of association or by-laws Upon final settlement by such committee the association shall be deemed dissolved and shall cease to exist under the act The committee shall make a report of the proceedings under this section which shall be signed by its members and duly acknowledged by them which report shall be filed and recorded with the Secretary of the Commonwealth and with the recorder of deeds of the proper county The members of said association so discontinuing its affairs and operations may in the designation of said committee provide that the members of said association shall receive a compensation for their services as may be provided in said designation Said compensation to be fixed by vote of not less than two-thirds of all the members

Section 5 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the Bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	**Frost,**	Mahan,	Rovansek,
Agnew,	**Gaffney,**	Maxwell,	Royer,
Amarando,	**Garlock,**	**McCann,**	**Rubin,**
Anderson, M. S.,	**Gelfand,**	McCormack,	Rudisill,
Anderson, S. A.,	George,	McGee,	Sarraf,
Ashton,	**Gibb,**	McLaughlin,	Scarcelli
Auker,	**Gibson,**	McWherter,	**Schuster,**
Banker,	**Goldstein,**	**Meholchick,**	Sherman,
Barnatovich,	**Gramlich,**	Metz,	Smith, C. C.,
Bazin,	**Guss**	**Mihm,**	**Smith, Wm. B.,**
Boles,	**Hamilton, R. K.,**	Mikula,	Snider,
Bonner,	Hass,	Mills,	Stank,
Boory,	**Haudenshield,**	**Monroe,**	**Stebbins,**
Bower,	Heavey,	Moody,	Steckel,
Branca,	**Henzel,**	Moran,	**Stevenson,**
Breisch,	**Hocker,**	Moscrip,	Stone,
Brennan, A. P.,	Holt,	Muldowney,	Stoner,
Brennan, J. J.,	Horst,	Mullen,	Strausser,
Brenninger,	Houk,	Munley,	**Swartz,**
Breth,	**Jenkins,**	Murphy,	Taylor,
Bucchin,	Johnson,	**Murray, H. P.,**	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Toll,
Capano,	**Jump,**	Musto,	Tompkins,
Cianfrani,	Kamyk,	Naugle,	**Toomey,**
Cioffi,	Kehler,	Needham,	**Varallo,**
Cochran,	Kent,	Ogilvie,	Varner,
Comer,	Knecht,	**Olsen,**	Vaughan,
Curwood,	Kolankiewicz,	O'Neil,	**Wall,**
Davis,	Kooker,	Pacchioli,	Wallace,
Donahue,	**Kornick,**	Parry,	**Walsh,**
Donaldson,	Kratz,	Pashley,	Wargo,
Dougherty,	Kromer,	Paulhamus,	Waterhouse,
Ehrgood,	**Kubacki,**	Petrosky,	Weidner,
Ellberg,	Lawyer,	Pettigrew,	**Welsh,**
Erb,	Leiby,	Polaski,	Wescott,
Eshleman,	Leisey,	**Polen,**	**Whitenight,**
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Leven,	**Pursley,**	Williams,
Filo,	Light,	Readinger,	**Wood,**
Fineman,	Limper,	Reibman,	Worley,
Flint,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Lovett,	**Renwick,**	Yetzer,
Flynn,	Lutty,	Rigby,	Ziegler,
Frank,	Magee,	Rosen,	Andrews,
Frascella,			Speaker

NAYS—0

NOT VOTING—33

Bell,	**Guthrie,**	Lafore,	Sieman,
Blair,	**Hamilton, W. H.,**	**Lippincott,**	Spencer,
Brown,	Helm,	Mackley,	**Stephens,**
Connelly,	**Hewitt,**	McInroy	Stroup
Cooper,	**Isaacs,**	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	**Kline,**	Pomeroy,	**Wilt,**
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passd the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 401, as follows:

An Act amending the act of May 2, 1929 (P. L. 1237) entitled "An act affecting marital relations prescribing

grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" allowing support for children pendente lite and on divorce from bed and board except in counties of the first class.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. LOPRESTI. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 408 as follows:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" giving township commissioners authority to accept land dedicated by deed to the township for certain purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 2020 and 2022 and subsection (j) of section 3066 act of June 24, 1931 (P. L. 1206) known as "The First Class Township Code" reenacted and amended May 27, 1949 (P. L. 1955) are amended to read

Section 2020 Plans of Dedicated Streets The commissioners of any township may accept in the name of the township any land dedicated by deed to the township to be used in any manner for road purposes No person shall construct open or dedicate any street or any drainage facilities in connection therewith for public use or travel in any township without first submitting plans thereof to the township commissioners for heir approval Such plans shall be prepared in duplicate in accordance with such rules and regulations as may be prescribed by the commissioners and shall show the profiles of such streets the course structure and capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory and also any other or further details that may be required under the rules and regulations adopted by the township commissioners Before acting upon any such plans the commissioners may in their discretion arrange for a public hearing after giving such notice as they may deem desirable in each case The township commissioners are authorized to alter such plans or order the same to be altered and to specify any changes or modifications of any kind which they in their discretion may deem necessary with respect thereto and may make their approval of such plans subject to any such alterations changes or modifications but no plans shall be approved until there is a solicitor's report as to municipal liens Any plans when so approved shall be signed in duplicate on behalf of the township by such officer as the commissioners may designate and an approved duplicate copy shall be filed in the township engineer's office or other proper office where the same shall be available to public inspection No street or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans so approved by the commissioners or with further plans subsequently approved by them in the same manner nor until such plan and the approval thereof has been recorded as hereinafter provided.

Section 2022 No Responsibility on Township Where Plans Not Approved If any street or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans approved [as provided in this subdivision] and recorded as herein provided neither the township commissioners nor any public authorities shall place construct or operate any sewer drain water pipe or other facilities or do any work of any kind in or upon such street and neither the township commissioners nor any other public authorities shall have any responsibility of any kind with respect to any such street or drainage facilities notwithstanding any use of the same by the public unless such street or drainage facilities is accepted by ordinance or by deed of dedication Provided however That nothing herein contained shall prevent the laying of trunk sewers drains water or gas mains if required by engineering necessity for the accommodation of other territory If any person shall open any street or any drainage facility in connection therewith without submitting and obtaining approval of plans as approved in section two thousand twenty of this act and if the township commissioners shall have no information that such street or drainage facility in connection therewith shall be intended for public use or travel the township commissioners may in their discretion file with the recorder of deeds of the county a certificate containing a description of the land served by such street or drainage facility in connection therewith and a statement that as the township commissioners have not approved such plans neither the township commissioners nor any other public authority shall have any responsibility to furnish any facilities or services with respect to such land or any responsibility of any kind with respect to such street or drainage facility in connection therewith The owner of such land shall be designated and indexed as grantor in the records of the office of the recorder of deeds and the township shall be designated and indexed as grantee therein It shall not be necessary for such certificate to be executed by any other party than the township commissioners filing the same Nothing herein contained shall be deemed to prevent the township commissioners from enforcing the provisions of this act in any case in which any such street or any drainage facility in connection therewith is intended for public use or travel

Section 3066 Subdivisions Wherein Lots Abut Existing Streets or Highways of Insufficient Width or Proposed Streets * * *

(j) Streets Parks and Other Improvements Private Until Dedicated or Condemned Every street park or other improvement shown on a subdivision plan that is recorded as provided herein shall be deemed to be a private street park or improvement until such time as the same has been offered for dedication to the township and accepted by ordinance or resolution or by deed of dedication accepted by the commissioners or until it has been condemned for use as a public street park or other improvement The commissioners of any township may accept in the name of the township any land dedicated by deed to the township to be used in any manner for street park or improvement purposes

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Rovansek,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss	Mikula,	Snider,
Boles,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,

Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Musto,	Toll,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki,	Pettigrew,	Welsh,
Erb,	Lawyer,	Polaski,	Wescott,
Eshleman,	Leiby,	Polen,	Whitenight,
Ewing,	Leisey,	Price,	Willaredt,
Eilberg,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Royer,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Tompkins,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 428 as follows:

An Act amending the act of July 17, 1935 (P. L. 1092) entitled "An act defining fraternal benefit socities and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign socities designating takes of mortality as a basis for rates of contribution requiring all socities to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such socities from taxation and certain other societies from its provisions and requiring beneficial association other than fraternal benefit societies to report to and be supervised by the Insurance Commisisoner and repealing existing laws" further regulating transfer of funds to expense or other funds of fraternal benefit societies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 15 act of July 17, 1935 (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign socities designating tables of mortality as a basis for rates of contribution requiring all socities to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" amended July 13 1953 (P. L. 436) is amended to read

Section 15 Funds Securities (a) The funds from which benefits shall be paid and the funds from which expenses of the society shall be defrayed shall be derived from regular monthly or other periodical rates of contribution received by the society and accretions of said funds as apportioned in accordance with the constitution and laws of the society and no part of any funds set aside for the payment of benefits shall be used for expenses or other purposes except that any such society having admitted assets as shown by its last annual statement filed with the Insurance Commissioner in excess of one hundred per cent of its entire liabilities including its required reserves computed on a net tabular basis may transfer or allocate such excess insurance funds to the expense or other funds of the society in accordance with its constitution and by-laws [but the amount so transferred in any calendar year shall not exceed five per cent of the contributions to the mortuary fund exclusive of any receipts for disability or double indemnity of such society during the next preceding calendar year]

(b) Any such society having admitted assets as shown by its last annual statement filed with the Insurance Commissioner in excess of one hundred per cent of its entire liabilities including its required reserves computed on a net tabular basis not lower than the American Experience Table of Mortality with an interest rate of three and one-half per cent may in accordance with its constitution and by-laws provide for the consolidation of its various funds and may report its transactions accordingly Provided That no expenses will be incurred that would impair the reserve base or bases which it is using Except as herein otherwise allowed every domestic society shall invest its funds only in securities and in the manner permitted by the laws of this Commonwealth for the investment of the funds of life insurance companies and in securities of Federal savings and loan associations or of other institutions to the extent that such investment is guaranteed by the United States Government or any instrumentality thereof Unless the approval of the Insurance Commissioner shall be first obtained in writing no domestic society shall keep or maintain at a place outside this Commonwealth any securities or other assets except such as are necessary for the collection of current dues and to enable it to comply with the laws of any other state or foreign country for the purpose of transacting business therein

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Rovansek,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boies,	Hamilton, R. K.,	Mills,	Stank,

Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Royer,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 514 , entitled:

An Act amending the act of May 17, 1917 (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," further providing for the suspension and revocation of registration by the State Board of Pharmacy.

On the question,

Will the House agree to the bill on third reading

Mr. McGEE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 6), page 3, line 9, by inserting after "the" proportionate

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 527 as follows:

An Act amending the act of May 2, 1929 (P. L. 1237) entitled "An act affecting martial relations prescribing grounds and regulating proceedings for dviorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" changing the residence requirements for libellant in certain proceedings for divorce

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 16 of the act of May 2 1929 (P. L. 1237) known as "The Divorce Law" is amended to read

Section 16 Residence of Libellant No spouse shall be entitled to commence proceedings for divorce by virtue of this act who shall not have been a bona fide resident in this Commonwealth at least one whole year immediately previous to the filing of his or her petition or libel Provided That if the proceedings for divorce are commenced in the county where the respondent has been a bona fide resident at least one whole year immediately previous to the filing of such proceedings in such case residence of the libellant within the county or State for any period shall not be required The libellant shall be a competent witness to prove his or her residence

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boies,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,

Ehrgood,	Kubacki	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	[illegible],		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 593 as follows:

An Act amending the act of May 28 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" extending the benefits to employes of certain authorities created jointly with other political subdivisions or joined in by the cities and authorizing credit for past service on making back payments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 10 act of May 28 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administrative and the payment of such pensions" amended July 13 1953 (P. L. 445) is amended to read

Section 10 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions which shall include all persons employed in any capacity by or holding position in an authority created by said cities or created by said cities jointly with another political subdivision or other political subdivisions or created by another political subdivision or other political subdivisions and joined by said cities except where such authority has in effect its own pension or retirement plan maintained without reference to the provisions of this act in which case such authority's pension or retirement plan shall be exclusive and such authority's employes shall not be entitled to any rights under this act and the words "city" or "cities" as used in sections three four five six seven eight ten eleven twelve and fourteen of this act shall be construed to mean "authority" or "authorities" so created where appropriate Provided That this act shall not apply to employes of such departments bureaus or offices as are now protected by pension authorized by the laws of this State and in force at the time of the passage of this act and shall not apply to employes of a joint authority who are members of a pension fund established for the benefit of the employes of a political subdivision other than the city which is a member of the joint authority

For the purposes of this act the solicitor and all employes of the office of the solicitor for delinquent real estate tax and water rate liens provided for by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (Pamphlet Laws six hundred twenty-nine) shall be regarded as persons employed by or holding positions in the cities included in the provisions of this act to the extent that they may if they so desire avail themselves of the benefits of the act to which this is an amendment by paying to the board of pensions monthly the amount provided for by said act

Section 2 Section 15 of the act added July 13 1953 (P. L. 445) is amended to read

Section 15 Every authority the employes of which are members of the pension fund as hereinabove provided for shall pay [annually] to the board of pensions an amount sufficient to reimburse the board of pensions for the amount of benefits paid employes of such authority as provided for by the act of which this amendment is a part after receiving credit for all contributions made to the pension fund by employes of such authority [during such annual period] Provided however That where an employe of any authority formerly worked for the city creating the authority or for the city joining in the creation of the authority or for the city joining an authority already created the annual pension requirement or other benefits shall be prorated on the basis that the number of years such employe worked for the authority bears to total years of service in city and authority employment and the authority shall reimburse the board of pensions for that proportionate part of the pension or other benefits paid which the authority service bears to the total and the balance of annual pension requirements or other benefits shall be paid by such cities

Every authority employe shall have the option of joining or refusing to join the pension fund within six months of the effective date of this act or within six months of the date when the privilege of joining occurs whichever is later or at such subsequent time as the pension board shall approve Any authority employe shall receive full credit toward his pension under the act for each year of service as the employe of the authority upon his producing proof satisfactory to the pension board of the number of years of his service as an employe of the authority and upon his making back payments at the same rate as if he had been a city employe in a lump sum or by installments as may be determined by the board If the employe is retired under this act before the back payments have been completed the annuity shall be reduced by an amount equivalent to the unpaid back payments or deduction increases not anticipated

Section 3 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boles,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,

Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki,	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 595 as follows:

An Act amending the act of March 7 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing cities to regulate or prohibit the construction building or maintenance of certain fences made in whole or in part of wire with barbs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of Article XIX act of March 7 1901 (P. L. 20) entitled "An act for the government of cities of the second class" is amended by adding at the end thereof a new clause to read

Section 3 Every city of the second class in its corporate capacity is authorized and empowered to enact ordinances for the following purposes in addition to the other powers granted by this act

* * *

XLIV To regulate or prohibit the construction building or maintenance within the city of any fences under five feet in height made in whole or in part of wire with barbs

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boles,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki,	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 604 as follows:

An Act amending the act of May 1 1933 (P. L. 103) entitled "An act concerning townships of the second class and amending revising consilidating and changing the law relating thereto" further prescribing the contents of the township report made by the auditors

The general Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 547 act of May 1 1933 (P. L. 103) known as "The Second Class Township Code" reenacted and amended July 10 1947 (P. L. 1481) is amended to read

Section 547 Completion Filing and Publication of Annual Township Report and Financial Statement The Auditors

shall complete their audit settlement and adjustment prior to March first of each year and in no case shall more than twenty days be expended on such audit

On or before March first of each year the auditors shall make a report as hereinafter provided of the affairs of the township executed copies of which report shall be forthwith filed by the secretary of the auditors with the secretary of the township the clerk of the court of quarter sessions of the county the Department of Internal Affairs and the Department of Highways Each copy of such report shall be signed by each auditor and duly verified by the oath of the secretary of the auditors Any secretary of auditors refusing or wilfully neglecting to file such township report as hereinafter provided or to publish the financial statement herein required shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of five dollars for each day's delay beyond the last day for filing such report and costs or in default of the payment of such fine and costs be sentenced to imprisonment not exceeding ten days

The township report shall be presented on a uniform form prepared and furnished as hereinafter provided

The township report shall contain the names and addresses of the chairman members and secretary-treaurer of the board of supervisors of the township a statement of the receipts of the township from all sources and of all accounts and revenue which may be due and uncollected at the close of the fiscal year a [detailed] statement of the disbursements of the township during the fiscal year for the construction reconstruction maintenance and repair of the roads for the purchase and repair of road equipment and machinery [including a record of all purchases of material equipment and machinery for road purposes involving an exenditure of less than five hundred dollars and for all other activities of the township] the number of miles of road opened built and permanently improved and the total number of miles of road in the township a statement of the balance in the township treasury at the beginning of the fiscal year a statement of the resources and liabilities of the township at the end of the fiscal year a detailed statement of the indebtedness of the township at the close of the fiscal year the provisions made for the payment thereof together with the purposes for which it was incuurred a statement of the cost of ownership and operation of each and every public service industry owned maintained or operated by the township and such more specific information as may be required as hereinafter provided

On or before March tenth of each year the auditors shall publish by advertisement once in at least one newspaper of general circulation published in the township or if no such newspaper is published in the township then in such a newspaper circulating in the township a concise financial statement setting forth the balance in the treasury at the beginning of the fiscal year all revenues received during the fiscal year by major classifications all expenditures made during the fiscal year by major functions and the current resources and liabilities of the township at the end of the fiscal year the gross liability and net debt of the township the amount of the assessed valuation of the township the assets of the township with the character and value thereof the date of the last maturity of the respective forms of funded debt and the assets in the sinking fund Such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law which requires the corporate authorities of townships to publish an annual statement of indebtedness

If any township has a population of less than two hundred as shown by the last preceding decennial census of the United States the auditors may post five copies of the above financial statement in public places in the township in lieu of publication in a newspaper

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McDermack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. C.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boles,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hunt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 605 as follows:

An Act amending the act of June 24 1931 (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing the township officers of two or more counties to form joint county associations

The general Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 610 act of June 24 1931 (P. L. 1206) known as "The First Class township Code" reenacted and

amended May 27 1949 (P. L. 1955) is amended to read

Section 610 Formation of County Associations Meetings County associations of township officers may be formed in the respective counties or the township officers of two or more counties may form a joint county association Such associations when formed shall hold annual or semiannual conventions at the county seats of the respective counties or some other suitable place within the county for the purpose of considering and discussing questions and subjects pertaining to the best methods for the construction improvement and maintenance of the public highways and bridges and the administration of township governments

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Adam,	Frost,	Maxwell,	Royer,
Agnew,	Gaffney,	McCann,	Rubin,
Amarando,	Garlock,	McCormack,	Rudisill,
Anderson, M. S.,	Gelfand,	McGee,	Sarraf,
Anderson, S. A.,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	McWherter,	Schuster,
Auker,	Gibson,	Meholchick,	Sherman,
Banker,	Goldstein,	Metz,	Smith, C. O.,
Barnatovich,	Gramlich,	Mihm,	Smith, Wm. B.,
Bazin,	Guss,	Mikula,	Snider,
Boies,	Hamilton, R. K.,	Mills,	Stank,
Bonner,	Hass,	Monroe,	Stebbins,
Boory,	Haudenshield,	Moody,	Stephens,
Bower,	Heavey,	Moran,	Stevenson,
Branca,	Henzel,	Moscrip,	Stone,
Breisch,	Hocker,	Muldowney,	Stoner,
Brennan, A. P.,	Holt,	Mullen,	Strausser,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Brenninger,	Houk,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jump,	Naugle,	Toomey,
Cianfrani,	Kamyk,	Needham,	Varallo,
Cioffi,	Kehler,	Ogilvie,	Varner,
Cochran,	Kent,	Olsen,	Vaughan,
Comer,	Knecht,	O'Neil,	Wall,
Curwood,	Kolankiewicz,	Pacchioli,	Wallace,
Davis,	Kooker,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Ehrgood,	Kubacki,	Pettigrew,	Welsh,
Eilberg,	Lawyer,	Polaski,	Wescott,
Erb,	Leiby,	Polen,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wood,
Filo,	Light,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Yetter,
Flint,	Lopresti,	Renwick,	Yetzer,
Floyd,	Lovett,	Rigby,	Ziegler,
Flynn,	Lutty,	Rosen,	Andrews,
Frank,	Magee,	Rovansek,	Speaker
Frascella,	Mahan,		

NAYS—0

NOT VOTING—33

Bell,	Guthrie,	Lafore,	Sigman,
Blair,	Hamilton, W. H.,	Lippincott,	Spencer,
Brown,	Helm,	Markley,	Steckel,
Connelly,	Hewitt,	McInroy,	Stroup,
Cooper,	Isaacs,	McKeever,	Thompson,
Down,	Jones, T. H. W.,	Miller,	Verona,
Foster,	Keller,	Murray, P. G.,	Wheeler,
Greenwood,	Kline,	Pomeroy,	Wilt,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 369, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," further defining the powers of courts on appeals.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 370, entitled:

An Act amending the act of April 12 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" further defining the powers of courts on appeals

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1101, entitled.

An Act amending the act of August 26, 1953 (P. L. 1476) entitled "An act to carry out the intent and purpose of Article XV Section 1 and Article XIV Section 8 of the Constitution of Pennsylvania and to supplement the First Class City Home Rule Act approved April twenty-one one thousand nine hundred forty-nine (P. L. 665) by vesting in the Council of the City of Philadelphia full powers to legislate with respect to the election appointment compensation organization abolition merger consolidation powers functions and duties of certain offcers offices boards and commissions of the City of Philadelphia providing that such officers may be made appointive or abolished alerting the term of the District

Attorney of Philadelphia and establishing the status of the Sheriff City Commissioners Board of Revision of Taxes and Registration Commission the members of such board and commission and the subordinates and employes of such officers board and commission" removing the exclusion of the Sheriff City Commissioners Board of Revision of Taxes and Registration Commission from the provisions of section 2 and providing that such officers be included within the provisions of the said section so that the Council of the City of Philadelphia shall have full powers to legislate with respect to the election appointment compensation organization abolition merger consolidation powers functions and duties of the Sheriff City Commissioners Board of Revision of Taxes Registration Commission of the City of Philadelphia and all former county officers boards and commissions

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 459, Printer's No. 144

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 484, entitled:

An Act amending the act of June 27, 1923 (P. L. 858), entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," providing for retirement of members of the General Assembly, their superannuation retirement age, annual salary or annual earnable salary and final salary; and authorizing certain members of the General Assembly to join the retirement association by making back payments.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules for the purpose of further study.

The motion was agreed to.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 375, Printer's No. 912
House Bill No. 554, Printer's No. 920
House Bill No. 555, Printer's No. 921
House Bill No. 824, Printer's No. 922
House Bill No. 1060, Printer's No. 900 and
House Bill No. 1390, Printer's No. 923

were passed over at the request of the SPEAKER pro tempore.

RESOLUTION NO. 87

Mr. READINGER. Mr. Speaker, I call up Resolution No. 87 on page 58 of today's calendar.

The resolution was read by the Clerk or follows:

In the House of Representatives, May 25, 1955.
(Concurrent) RESOLUTION No. 87.

The personal, family, social, medical, financial and related problems arising from the continued increase in the number and proportion of Pennsylvanians of advanced age are of growing magnitude.

These problems are of such striking significance and so intricate as to warrant special and intensive attention by the Commonwealth.

All aspects of this rise in the aging population presents the Commonwealth with increasingly serious social and human problems; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission is hereby directed to make a comprehensive and intensive study of the State-wide needs and problems of the aging and the aged and to develop in cooperation with other governmental and voluntary groups ways and means to assist the Commonwealth in meeting these needs and problems and in such study the commission may appoint and consult with a Citizen Advisory Committee of competent lay and professional citizens who have demonstrated interests in and knowledge of the aging and the aged. Such study shall concentrate on the following:

1. Employment opportunities for older persons.
2. Facilities and services for the aged including counseling and personal services, employment guidance and placement services, medical care service, institutional services, treatment and rehabilitation for the chronically ill, care of and rehabilitation for the disabled and the handicapped, recreation, education and related community services.
3. Analysis of the problems of the aged receiving old-age assistance with special reference to the adequacy of grants and standards of living, boarding homes and other sheltered care for the indigent aged.
4. Special attention to the problems of care and treatment of the senile aged.
5. Study of other special needs as develop in the course of the study; and be it further

Resolved, That the Joint State Government Commission shall report to the General Assembly on or before February 1, 1957 the results of its studies and investigations and recommendations.

On the question,

Will the House adopt the resolution?

RESOLUTION RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this resolution be recommitted to the Committee on Rules for the reason that other legislation has since been introduced which would duplicate the request made in this resolution and this resolution should be returned to the committee for further study.

The motion was agreed to.

INTERROGATION

Mr. TOMPKINS asked and obtained unanimous consent to interrogate the Majority Leader.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the Majority Leader, very briefly.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker, very briefly.

Mr. TOMPKINS. Mr. Speaker, I would like to inquire if Senate Concurrent Resolution, Serial No. 113, which passed the Senate yesterday, relating to an investigation

of the conditions at the Pennsylvania Training School at Morganza, reached the House?

Mr. READINGER. Mr. Speaker, I have been informed that it has reached the House. It has not reached me, however.

Mr. TOMPKINS. Mr. Speaker, does the gentleman know whether or not it has been referred?

The SPEAKER pro tempore. The Chair would inform the gentleman that the resolution of which he speaks was referred by the Speaker to the Rules Committee today.

Mr. TOMPKINS. Mr. Speaker, I should like to further inquire as to what they propose to do with this resolution.

Mr. READINGER. I would answer the gentleman by saying that the Rules Committee will meet next Monday and consider appropriate action. I have not had a chance to confer with the members of the Rules Committee so I cannot answer as to what they will do.

Mr. TOMPKINS. That is all. I thank the gentleman.

Mr. Speaker, as I said in my interrogation, this resolution refers to an investigation of conditions at Morganza.

I think this resolution should be given quick consideration by the Rules Committee by reason of the fact that within the past week or ten days there has been a death which resulted to one of the patients at this institution under circumstances whch are very suspicious. Since that time, within the past few days, there has been a girl very severely beaten by one of the attendants of this institution.

Acts of this kind are on a par with those which are contained in a resolution to investigate the violent actions in our court rooms, and I think it goes to the fundamental of the administration of our government and reflects upon the integrity of the Commonwealth if we do not give some immediate attention to such acts of violence in our institutions, which to me are worse than the charges which had been previously made this year regarding dark age conditions.

This same institution was given a clearance by the present Department of Welfare after its accusations in the earlier part of this year. Here we have conditions which are far worse than any that could have been reported by the Department of Welfare at that time. I think the whole thing should be investigated and aired to find out whether the program that has been instituted is the proper program for the care of people of this type in these institutions, and more specifically to investigate the charges in connection with the death of this one person and the severe beating of the other.

Mr. READINGER. Mr. Speaker, I would like to assure the gentleman who just spoke by saying that the Rules Committee will meet on Monday, and as Chairman I will recommend that the resolution of which he speaks be reported out immediately for action by this House.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1078.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," authorizing the use of school buildings as meeting places for governmental and quasi-governmental bodies, agencies and authorities created by law

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatinves is requested.

THE SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 16, by striking out after the second word "and" the word "shall" and inserting in lieu thereof the word "may".

On the question,

Will the House concur in the amendments made by the Senate?

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL NO. 643

An Act amending the act of June 24 1939 (P L 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting budget planning business and prescribing penalties for violation thereof.

Referred to the Committee on Banking and Building and Loan Associations

ADJOURNMENT

Mr. CAPANO. Mr. Speaker, I move that this House do now adjourn until Monday, September 19, 1955 at 3:30 p. m. EST.

The motion was agreed to, and (at 3:00 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., MONDAY, SEPTEMBER 19, 1955. No. 89.

SENATE

MONDAY, September 19, 1955.

The Senate met at 2:30, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplin, Rev. HOWARD S. FOX, D.D., Pastor of Trinity Evangelical Reformed Church, Gettysburg, offered the following prayer:

Let us pray.

O God of light and truth, in a strangely tangled time when confused cries echo through the world, we pray for leadership of faith. Hear our prayer for the prophet-vision and the light of the moral mind, lest we lose our way and wonder in the dark.

Thou Mighty Seer, send us men endowed with grace of insight, the gift of interpretation and the accent of command. Speak to Thy people, O Lord, for without vision they become a mob and perish.

God of the prophets, give us men who share Thy vision of eternal values and are not afraid of the loneliness of following the highest they know. Show us the shame of the second-best, the bitterness of a joy bought at the cost of a mean timidity. O God, let Thy living Word have saving power among us, rebuking our sin, working in us the miracle of love and leading us out of the night into a new day of our Lord.

Bless these leaders of State and give them wisdom and understanding from on high, so that they may order the life of Thy people properly.

And unto Thee shall be the praise in a world without end, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. KESSLER and Mr. DIEHM, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 117

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 117, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing collection of data concerning deceased veterans of armed conflicts; authorizing the erection of monuments for and giving retirement benefits to veterans of armed conflicts.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 126

He also returned to the Senate, Senate Bill No. 126, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, townships, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvement on land and grantees of land; prescribing penalties; and eliminating the trienneal assessment," authorizing certain political subdivisions to take part in appeals through their solicitors or special counsel.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 142

He also returned to the Senate, Senate Bill No. 142, entitled:

An Act amending the act of May 2, 1949 (P. L. 872), entitled "An act granting credit toward pension or retirement benefits of certain members of the police force employed by political subdivisions for time spent in the military service of the United States," granting credit for military service during armed conflicts.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 146

He also returned to the senate, Senate Bill No. 146, entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for con-

tributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 199

He also returned to the Senate, Senate Bill No. 199, entitled:

An Act amending the act of July 28, 1953, (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 200

He also returned to the Senate, Senate Bill No. 200, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," extending retirement benefits to veterans of armed conflicts.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 203

He also returned to the Senate, Senate Bill No. 203, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278), entitled "An Act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; revising, amending and consolidating the laws relating thereto," extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 254

He also returned to the Senate, Senate Bill No. 254, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace and courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the maximum length of truck tractor and semi-trailer combinations carrying motor vehicles.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 290

He also retunrned to the Senate, Senate Bill No. 290, entitled:

An Act amending the act of June 12, 1919 (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" changing the required contents of the articles of association providing for additional methods in electing directors changing the vote for amendment of articles and dissolution of association and eliminating auditing committee service in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 331

He also returned to the Senate, Senate Bill No. 331, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 408

He also returned to the Senate, Senate Bill No. 408, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," giving township commissioners authority to accept land dedicated by deed to the township for certain purposes.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 428

He also returned to the Senate, Senate Bill No. 428, entitled:

An Act amending the act of July 17, 1935 (P. L. 1092), entitled "an act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions;

and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," further regulating transfer of funds to expense or other funds of fraternal benefit societies.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 527

He also returned to the Senate, Senate Bill No. 527, entitled:

An Act amending the act of May 2 1929 (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" changing the residence requirements for libellant in certain proceedings for divorce.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 593

He also returned to the Senate, Senate Bill No. 593, entitled:

An Act amending the act of May 28 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" extending the benefits to employes of certain authorities created jointly with other political subdivisions or joined in by the cities and authorizing credit for past service on making back payments

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 595

He also returned to the Senate, Senate Bill No. 595, entitled:

An Act amending the act of March 7 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing cities to regulate or prohibit the construction building or maintenance of certain fences made in whole or in part of wire with barbs

with the information that the House has passed the same without amendments.

HOUSE COUCURS IN SENATE BILL No. 604

He also returned to the Senate, Senate Bill No. 604, entitled:

An Act amending the act of May 1 1933 (P L 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further prescribing the contents of the township report made by the auditors

with the information that the House has passed the same same without amendments.

HOUSE CONCURS IN SENATE BILL No. 605

He also returned to the Senate, Senate Bill No. 605, entitled:

An Act amending the act of June 24 1931 (P L 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing the township officers of two or more counties to form joint county associations

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 597, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 900, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the University Museum.

Which was committed to the Committee on Appropriations.

House Bill No. 901, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 902, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Medicine.

Which was committed to the Committee on Appropriations.

House Bill No. 903, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

Which was committed to the Committee on Appropriations.

House Bill No. 1065, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1066, entitled:

An Act making an appropriation to the Temple University Medical School at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1090, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for maintenance and support.

Which was committed to the Committee on Appropriations.

House Bill No. 1319, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Law," clarifying the effect of certain provisions of the act with respect to powers granted by other laws.

Which was committed to the Committee on Local Government.

House Bill No. 1324, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endownment of Agricultural College," making an appropriation for carrying the same into effect.

Which was committed to the Committee on Appropriations.

House Bill No. 1482, entitled:

"An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic."

Which was committed to the Committee on Appropriations.

House Bill No. 1483, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University.

Which was committed to the Committee on Appropriations.

House Bill No. 1484, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the School of Medicine.

Which was committed to the Committee on Appropriations.

House Bill No. 1513, entitled:

An Act relating to the transaction of business in the Commonwealth by a foregin banking corporation.

Which was committed to the Committee on Banking.

House Bill No. 1595, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

Which was committed to the Committee on Appropriations.

House Bill No. 1599, entitled:

An Act to provide for the ordinary expenses of the Department of Public Instruction for two years beginning June first one thousand nine hundred fifty-five, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-five.

Which was committed to the Committee on Appropriations.

House Bill No. 1600, enttiled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia, Pennsylvania.

Which was committed to the Committee of Appropriations.

House Bill No. 1601, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania, for the purpose of maintenance of said school.

Which was committed to the Committee of Appropriations.

House Bill No. 1602, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

Which was committed to the Committee of Appropriations.

House Bill No. 1603, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Which was committed to the Committee of Appropriations.

House Bill No. 1604, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the payment of the cost of construction and equipment of the new girls 'dormitory.

Which was committed to the Committee of Appropriations.

House Bill No. 1605, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown, Pennsylvania.

Which was committed to the Committee of Appropriations.

House Bill No. 1606, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia, Pennsylvania.

Which was committed to the Committee of Appropriations.

House Bill No. 1607, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

Which was committed to the Committee of Appropriations.

House Bill No. 1608, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art, Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 1609, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum for maintenance and the purchase of apparatus, supplies and equipment.

Which was committed to the Committee on Appropriations.

House Bill No. 1610, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1611, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1612, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Which was committed to the Committee on Appropriations.

House Bill No. 1629, entitled:

A Supplement to the act, approved the twenty-second day of August, one thousand nine hundred fifty-three (Appropriation Acts page 54), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and fifty-three, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-three," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred fifty-five.

Which was committed to the Committee on Appropriations.

House Bill No. 1632, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

Which was committed to the Committee on Appropriations.

House Bill No. 1633, entitled:

An Act making an appropriation to The Glen Mills School, situate in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1634, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1635, entitled:

"An Act to provide for the ordinary expenses of the Department of Health for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five."

Which was committed to the Committee on Appropriations.

House Bill No. 1636, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1639, entitled:

An Act making appropriations to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-five, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-five, and limiting the amount thereof available for administrative expenses.

Which was committed to the Committee on Appropriations.

House Bill No. 1646, entitled:

An Act making an appropriation to the Department of Property and Supplies for a continuance of the acquisition of real estate in connection with the extension of Capitol Park in the City of Harrisburg and for carrying on the work of the Department authorized under the act approved the third day of June one thousand nine hundred forty-three (P. L. 818)

Which was committed to the Committee on Appropriations.

House Bill No. 1647, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 1648, entitled:

An Act making an appropriation to the Department of Mines for the sealing and dewatering of and extinguishment of fires in abandoned coal mines.

Which was committed to the Committee on Appropriations.

House Bill No. 1649, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

Which was committed to the Committee on Appropriations.

House Bill No. 1651, entitled:

An Act making an appropriation for moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 1652, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

Which was committed to the Committee on Appropriations.

House Bill No. 1654, entitled:

An Act making an appropriation to the Treasury Department, out of various funds, to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

Which was committed to the Committee on Appropriations.

House Bill No. 1655, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat oats barley and rye by the eradication of rust spreading barberry bushes and providing for payment thereof to counties making like expenditures of county funds

Which was committed to the Committee on Appropriations.

House Bill No. 1656, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation protection and development of buildings and grounds at Ephrata Cloisters a famous historical shrine belonging to the Commonwealth

Which was committed to the Committee on Appropriations.

House Bill No. 1657, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and improvement of the Drake Museum and the Drake Well Memorial Park.

Which was committed to the Committee on Appropr ations.

House Bill No. 1658, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the maintenance and development of the Daniel Boone Homestead.

Which was committed to the Committee on Appropriations.

House Bill No. 1659, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the maintenance and development of the Pennsylvania Farm Museum of Landis Valley.

Which was committed to the Committee on Appropriations.

House Bill No. 1660, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for repairs to the property known as "Old Economy."

Which was committed to the Committee on Appropriations.

House Bill No. 1661, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development, operation and maintenance of the Point Park in Pittsburgh.

Which was committed to the Committee on Appropriations.

House Bill No. 1662, entitled:

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development, operation and maintenance of the Independence Mall in Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 1663, entitled:

An Act making an appropriation to the Department of Forests and Waters for redevelopment, improvement and construction of the Port of Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 1664, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Washington Crossing Park Commission in the acquisition of land.

Which was committed to the Committee on Appropriations.

House Bill No. 1665, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in the acquisition of land.

Which was committed to the Committee on Appropriations.

House Bill No. 1666, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund

Which was committed to the Committee on Appropriations.

House Bill No. 1667, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores fund

Which was committed to the Committee on Appropriations.

House Bill No. 1668, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1669, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1670, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1671, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement system with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1672, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1673, entitled:

An Act to provide for the ordinary expenses of the Department of Welfare for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

Which was committed to the Committee on Appropriations.

House Bill No. 1694, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

Which was committed to the Committee on Appropriations.

House Bill No. 1703, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

Which was committed to the Committee on Appropriations.

House Bill No. 1704, entitled:

An Act making an appropriation to the Department of Forests and Waters for payment of the Commonwealth of Pennsylvania's share of costs for salary and expenses of the River Master for the Delaware River required by Decree of the United States Supreme Court

Which was committed to the Committee on Appropriations.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 31, entitled:

An Act reenacting and amending the act of May 16, 1935 (P. L. 208), entitled, as amended, "Corporate Net Income Tax Act," extending its provisions for a further limited period of time.

House Bill No. 32, entitled:

An Act reenacting and amending the act of August 24, 1951 (P. L. 1417), entitled "Corporation Income Tax Law," extending its provisions for a further limited period of time.

House Bill No. 37, entitled:

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

House Bill No. 38, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies for a further limited period of time.

House Bill No. 921, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled, "Public School Code of 1949," authorizing school directors to invest certain funds in legal investments.

House Bill No. 922, entitled:

An Act amending the act of March, 10, 1949 (P. L. 30), entitled, "Public School Code of 1949," removing the requirement that auctions be conducted by licensed auctioneers.

House Bill No. 1278, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing school districts of the first class to dedicate, sell, donate, convey or lease real estate to the city comprising the district for any purpose with or without consideration.

House Bill No. 1355, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further defining the circumstances under which the approval of the Department of Public Instruction is required for construction or repairs.

House Bill No. 1375, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the compensation of certified public accountants employed by school districts of the fourth class.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

BILL INTRODUCED AND REFERRED

Mr. WHALLEY read in his place and presented to the Chair Senate Bill No. 756, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgeses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds,' authorizing the Secretary of Highways and the Turnpike Commission to fix minimum speeds on highways and prescribing penalties.

Which was committed to the Committee on Highways.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

REQUESTING THE DELAWARE RIVER PORT AUTHORITY TO GIVE CONSIDERATION TO THE NEED FOR A BRIDGE OVER THE DELAWARE RIVER AND TO MAKE A REPORT

Mr. WATKINS offered the following resolution which was twice read and referred to the Committee on Highways:

In the Senate, September 19, 1955.

Bridges over the Delaware River present an ever increasing problem greatly augmented by the flow of traffic from the Pennsylvania and New Jersey Turnpikes.

While the area north of and within the limits of the city of Philadelphia are being well provided for, the traffic normally bearing south of the city continues to be compelled to find a crossing through city traffic in Philadelphia or to travel further, below the City of Wilmington; therefore be it

Resolved (he House of Representatives concurring), That the Delaware River Port Authority be requested to give serious consideration to the urgent need for a bridge over the Delaware from a point in Delaware County, Pennsylvania to a point opposite in the State of New Jersey, and to that end to make an engineering survey and an exhaustive study of the traffic that could and normally would use the bridge, and to report in detail to the General Assembly at its 1957 session, the results of its survey and studies.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 19, 1955.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week ,it reconvene on Monday ,September 26, 1955, at two-thirty o'clock, p. m., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Monday, September 26, 1955, at a time to be fixed by the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 117, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto" authorizing collection of data concerning deceased veterans of armed conflicts authorizing the erection of monuments for and giving retirement benefits to veterans of armed conflicts.

Senate Bill No. 126, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town townships school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor intownships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" authorizing certain political subdivisions to take part in appeals through their solicitors or special counsel

Senate Bill No. 142, entitled:

An Act amending the act of May 2, 1949 (P. L. 872), entitled "An act granting credit toward pension or retirement benefits of certain members of the police force employed by political subdivisions for time spent in the military service of the United States" granting credit for military service during armed conflicts.

Senate Bill No. 146, entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

Senate Bill No. 199, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, and consolidating and changing the laws relating thereto," extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

Senate Bill No. 200, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," extending retirement benefits to veterans of armed conflicts.

Senate Bill No. 203, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eight classes; and revising, amending, and consolidating the laws relating thereto," extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

Senate Bill No. 254, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace and courts and the clerks thereof owners of vehiles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the maximum length of truck tractor and semitrailer combinations carrying motor vehicles

Senate Bill No. 290, entitled:

An Act amending the act of June 12, 1919 (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," changing the required contents of the articles of association; providing for additional methods in electing directors; changing the vote for amendment of articles and dissolution of association; and eliminating auditing committee service in certain cases.

Senate Bill No. 331, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

Senate Bill No. 408, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" giving township commissioners authority to accept land dedicated by deed to the township for certain purposes.

Senate Bill No. 428 ,entitled:

An Act amending the act of July 17, 1935 (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" further regulating transfer of funds to expense or other funds of fraternal benefit societies.

Senate Bill No. 527, entitled:

An Act amending the act of May 2, 1929 (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriage; and amending, revising, and consolidating the law relating thereto," changing the residence requirements for libellant in certain proceedings for divorce.

Senate Bill No. 593, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" extending the benefits to employes of certain authorities created jointly with other political subdivisions or joined in by the cities and authorizing credit for past service on making back payments

Senate Bill No. 595, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing cities to regulate or prohibit the construction building or maintenance of certain fences made in whole or in part of wire with barbs

Senate Bill No. 604, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further prescribing the contents of the township report made by the auditors.

Senate Bill No. 605, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing the township officers of two or more counties to form joint county associations.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed House Bill No. 705, entitled:

An Act providing for the payment of certain outstanding checks more than seven years old and making appropriations therefor.

He also, from the Committee on Appropriations, reported as committed House Bill No. 1553, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-five and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-five.

He also, from the Committee on Appropriations, reported as committed House Bill No. 1637, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of annual rates rentals and other charges to the General State Authority.

He also, from the Committee on Appropriations reported as committed House Bill No. 1652, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on Highways, reported as amended House Bill No. 1003, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue of Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for a limited period to certain nonresidents.

POSTPONING "JOHN MARSHALL BICENTENNIAL COMMEMORATIVE CELEBRATION" AND MAKING THIS CELEBRATION A SPECIAL ORDER OF BUSINESS, SEPTEMBER 27, 1955, AT 10:00 O'CLOCK A. M., EASTERN STANDARD TIME

Mr. MAHANY. Mr. President, I move that the "John Marshall Bicentennial Commemorative Celebration," which was scheduled to take place in the Senate tomorrow, be postponed for a period of one week, and be made a Special Order of Business on Tuesday, September 27, 1955, at 10:000 a. m., Eastern Standard Time.

Mr. PECHAN. Mr. Prsident I second the motion.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

Mr. WAGNER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER (By request) read in place and presented to the Chair Senate Bill No. 757, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," defining the effect of requirement that real property transfer taxes be paid by the transferor on preexisting ordinances and resolutions and validating such ordinances and resolutions.

Which was committed to the Committee on Local Government.

He also (By request) read in his place and presented to the Chair Senate Bill No. 758, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school district of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment, and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," authorizing taxing authorities to impose real property transfer taxes on either the transferor or on the transferee.

Which was committed to the Committee on Local Government.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1339, as follows:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing for the terms of office of school directors of union and merged districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 310 act of March 10 1949 (P. L. 30) known as the "Public School Code of 1949" is amended to read

Section 310 Annexation of Territory Consolidations When territory comprising a separate school district is annexed to a city or borough or township the terms of office of all the school directors of such annexed territory shall expire at the beginning of the first school year after such annexation is effected except the terms of the president and vice-president who shall hold office during the respective terms for which they were elected When two or more school districts are merged or are consolidated as a union school district or when two or more school districts are consolidated as a result of the consolidation of boroughs as provided in the General Borough Act the school directors then in office in both or all of the districts shall hold office during the respective terms for which they were elected In either case no election for school director in the district shall be held unless on the first Monday of January next following a municipal election there would be a less number of directors than is provided by law for the district of the same class

At each subsequent municipal election only so many school directors shall be elected as will on the first Monday of January then next following bring the number of school directors to the proper number for the district

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Derk,	Lane,	Propert,	Watkins,
Dent,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 162, Printer's No. 90;
Senate Bill No. 165, Printers' No. 253;
Senate Bill No. 215, Printers' No. 243; and
House Bill No. 340, Printer's No. 859.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 486, entitled:

An Act relating to reciprocal agreements for the interstate transportation and support of the mentally ill

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 620, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating speed designating a traffic court in certain political subdivisions further prescribing enforcement and penal provisions and imposing duties on certain pedestrians

The first and second sections were read and agreed to.

The third section was read .

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Sec. 3 (Sec. 1002), page 5, line 19 by striking out "clearly marked as a police vehicle which shall be"; Amend Sec. 3 (Sec. 1002), page 6, lines 10 and 11 by striking out "in the manner above" in lien 10, all of line 11 and inserting in lieu thereof: "for a distance of not less than one-quarter (¼) mile by a peace officer using a motor vehicle equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation".

They were agreed to.

The section was agreed to as amended .

The fourth, fifth and sixth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr .President, I ask unanimous consent that House Bill No. 620, Printer's No. 918, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 648, Printer's No. 225;

Senate Bill No. 649, Printer's No. 226; and

Senate Bill No. 652, Printer's No. 250.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 699. entitled:

An Act amending the act of June 24, 1937 (P. L. 2045), entitled, as amended "An act relating to the support of indigent persons; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of certain persons; providing for guardians of the person and property of such persons; providing for the arrest, and seizure and sale of the property of deserters; and providing procedure," relieving children of liability for support of parents deserting them during minority.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No .721, entitled:

An Act authorizing and directing the Department of Highways to accept a bridge across Redbank Creek and the approaches thereto connecting the State highway system in Armstrong County with the State highway system in Clarion County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 723, on second reading, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," authorizing joint school committees to manage certain joint schools or departments.

be placed on the Second Reading Postponed Calendar.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 724, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring the payment of money withheld from State appropriations to pay default in rent to a municipality authority or nonprofit corporation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 973, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting certain sales of Salk polio vaccine.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1435, Printer's No. 399, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE BILL NO. 1522 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. PECHAN. Mr. President, I call up from the Second Reading Postponed Calendar, House Bill No. 1522 for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1522, entitled:

An Act amending the act of July 8, 1941 (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" changing the definition of "Average salary" the membership of the board and the options allowed upon retirement regulating the manner of paying money out of the retirement fund making provisions in certain cases retroactive for contributors who are qualified for but die before retirement and providing for voluntary retirement after twenty-five years service

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 1523 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. PECHAN. Mr. President, I call up from the Second Reading Postponed Calendar, House Bill No. 1523 for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1523, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; imposing certain charges on counties, and prescribing penalties," changing the definition of "Final Salary"; the membership of the board and its method of accounting; and making payments out of the retirement fund and the options allowed upon retirementment authorizing the board to permit transfers to the one-eightieth (1/80) class of contribution and adjustment of county annunities, allowing credit for prior service for certain per diem employes; making provisions, in certain cases retroactive, for contributors who are qualified for, but die before retirement; authorizing the establishment of a minimum retirement allowance and providing for the reinstatement of contributors returning from military service.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 1524 CALLED UP FOR SECOND READING POSTPONED CALENDAR

Mr. PECHAN. Mr. President, I call up from the Second Reading Postponed Calendar, House Bill No. 1524 for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1524, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," changing the definition of "final salary" and the membership of the board; the manner of paying money out of the retirement fund and the option allowed upon retirement authorizing the board to permit transfers to the one-eightieth (1/80) class of contributors and adjusting the county annuities; allowing employes credit in certain cases for prior service; making provisions, in certain cases retroactive, for contributors who are qualified for but die before retirement.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 705, entitled:

An Act providing for the payments of certain outstanding checks more than seven years old and making appropriations therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1003, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," authorizing the issuance of special permits for a limited period to certain nonresidents.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1553, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-five and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for

the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1637, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of annual rates rentals and other charges to the General State Authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1652, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, September 20, 1955, at 8:30 o'clock, a. m., Eastern Standard Time.

Mr. KOPRIVER, JR., Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:32 o'clock, p. m., Eastern Standard Time, until Tuesday, September 20, 1955, at 8:30 o'clock a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, September 19, 1955

The House met at 3:30 p. m.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend Harold J. Crouse, Pastor of Trinity Lutheran Church, York, offered the following prayer:

Thou all good and all wise God accept our thanks for this democratic way of life. It is a realized dream and hope of Thy divine plan for Thy children. Wisely didst Thou create the children of men with the right to choose. Thou hast built in the very center of our souls this freedom. It is divine. No ruler, no government, has the commission from Thee to shackle or hold in bonds or servitude the souls of men.

God, these Representatives have been called by Thee, through the consent of the people back home, to govern in the interest of every man's freedom. Give each one grace and an aliveness of spirit to joyfully and earnestly accept such an opportunity. Supply them all with the needed health, vigor of mind, sensitiveness of soul to plan wisely, to do good, so that this government of the people, by the people and for the people shall never fade from this great land, the last best hope of free men. Lord God of Hosts be with us yet, lest we forget. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, September 14, 1955, will be postponed until printed. The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. POLEN. HOUSE BILL No. 1799.

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 1800.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-five.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. PRICE, FROST, WESCOTT, LIGHT, LEISEY, ERB, FARABAUGH LOPRESTI, ROVANSEK, BANKER and ESHLEMAN.

(Concurrent) RESOLUTION No. 115

In the House of Representatives, September 14, 1955.

Throughout the Commonwealth there are State-owned properties worth millions of dollars.

By night and by day volunteer fire companies and departments stand ready to protect these properties against the ravages of fire.

The Commonwealth recognizes this great service and should in some manner make contributions to the volunteer fire companies and departments to be used for the acquisition of fire fighting equipment and the payment, at least in part, of operating expenses; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study and investigate:

(1) The momentary value of the protection afforded the Commonwealth by volunteer fire companies and departments.

(2) The amounts necessary to adequately and equitably reimburse all fire companies and departments located in areas in which are located State properties for their services to the Commonwealth; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

By Mr. KOLANKIEWICZ.

(Concurrent) RESOLUTION(Not Printed)

In the House of Representatives, September 14, 1955.

The General Assembly of the Commonwealth of Pennsylvania expresses its deepest sympathy to all of the people in the Commonwealth who suffered the loss of lives and sustained millions of dollars worth of property damage in the recent flood disaster which struck many of our Eastern counties.

It is shocking and grieving to learn that the property loss and damage resulting from the flood must be borne directly by the flood stricken residents because of neglect

and failure to develop a satisfactory comprehensive insurance plan to ameliorate the economic consequences of the flood disaster. Practically all areas of the Commonwealth have, at one time or another, suffered the ravages of extensive flood disasters and it is a problem common to a majority of our people.

The General Assembly of the Commonwealth of Pennsylvania regrets the neglect and failure of the insurance industry to formulate and develop on its own initiative, a plan to permit persons whose property is subject to flood damage and opportunity to insure at reasonable rates against the losses. It is recognized that many substantial problems are involved and that they may be too great and complex for solution on any basis other than on a general public basis: therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania recommend and instruct the Insurance Commissioner of the Commonwealth to appoint a Flood Insurance Committee, composed of nine persons, to investigate and study the problem of providing a suitable program for permitting persons to insure, at fair and reasonable rates, against flood and water damage. The composition of the Committee shall consist of three persons from the general public, three persons victimized in the flooded areas and three persons from the insurance industry. The Insurance Commissioner shall be an ex-officio member of the Committee. The Committee shall hold public hearings and meetings at various places and dates, shall investigate and collect facts and information, and do all things which the Insurance Department of the Commonwealth is presently authorized and empowered to do in the pursuit of the objective of the resolution; and be it further

Resolved, That upon completion of the hearings and meetings and the formulation of the program, which shall be as soon as possible but under no circumstances later than March 31, 1956, the Committee shall report its findings and recommendations to the General Assembly of the Commonwealth of Pennsylvania, if it be in session, through the Insurance Commissioner. If the General Assembly of the Commonwealth of Pennsylvania is not in session, the report shall be transmitted by the Insurance Commissioner to the Governor of the Commonwealth; and be it further

Resolved, That the General Assembly pledges that it will enact legislation appropriating the sum of $50,000 to the Committee to fulfill its duties set forth in the resolution; and be it further

Resolved, That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to use the embryonic fundamental plan as a basis for accomplishing, through legislation if necessary, the adoption of a suitable and workable plan of flood insurance at reasonable rates to relieve persons from personally absorbing the economic consequences of flood disasters when they strike this Commonwealth and our neighboring states; and be it further

Resolved, That copies of the resolution be transmitted to the President of the United States, the Congress of the United States, Governor George M. Leader of the Commonwealth, to the Governors and the legislatures of all the other states of the Union, and the Insurance Commissioner of the Commonwealth, and that copies of the Committee's report, when completed, be transmitted as above.

Referred to the Committee on Rules.

COMMUNICATIONS

COMPLIANCE WITH PENNSYLVANIA LOYALTY ACT

The SPEAKER announced the acknowledgement of copies of report to the Governor of the Commonwealth on behalf of various institutions filed in compliance with Section 13 of the Pennsylvania Loyalty Act of December 22, 1951 (P. L. 1726).

RESOLUTION

ILLINOIS—SENATE JOINT RESOLUTION No. 25

The SPEAKER laid before the House a copy of Senate Joint Resolution No. 25 adopted by the Sixty-ninth General Assembly of the Senate of Illinois making an application to the Congress of the United States to call a convention for proposing an amendment in lieu of Article V of the Constitution of the United States.

Referred to the Committee on Judiciary.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 19, 1955.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, September 26, 1955, at two-thirty o'clock p. m. EST. and when the House of Representatives adjourns this week, it reconvene on Monday, September 26, 1955, at a time to be fixed by the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 117.

An Act amending the act of May 2, 1929 (P. L. 1278), entitled "An act relating to counties of the second third fourth fifth and sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing collection of data concerning deceased veterans of armed conflicts authorizing the erection of monuments for and giving retirement benefits to veterans of armed conflicts.

SENATE BILL No. 126.

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" authorizing certain political subdivisions to take part in appeals through their solicitors or special counsel.

SENATE BILL No. 142.

An Act amending the act of May 2, 1949 (P. L. 872), entitled "An act granting credit toward pension or retirement benefits of certain members of the police force employed by political subdivisions for time spent in the

military service of the United States," granting credit for military service during armed conflicts.

SENATE BILL No. 146.

An Act amending the act of June 11 1935 (P L 326) entitled "An act relating to counties of the first class defining decreased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

SENATE BILL No. 199

An Act amending the act of July 28 1953 (P L 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

SENATE BILL No. 200

An Act amending the act of June 4 1937 (P L 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" extending retirement benefits to veterans of armed conflicts

SENATE BILL No. 203

An Act amending the act of May 2 1929 (P L 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

SENATE BILL No. 254

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P L 905) entitled " An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace and courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the maximum length of truck tractor and semi-trailer combinations carrying motor vehicles

SENATE BILL No. 290

An Act amending the act of June 12, 1919 (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," changing the required contents of the articles of associations; providing for additional methods in electing directors; changing the vote for amendment of articles and dissolution of association; and eliminating auditing committee service in certain cases.

SENATE BILL No. 331

An Act making an appropriation for the purpose of maintaining the public roads and improving the replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

SENATE BILL No. 408

An Act amending the act of June 24 1931 (P L 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" giving township commissioners authority to accept land dedicated by deed to the township for certain purposes

SENATE BILL No. 428

An Act amending the act of July 17, 1935 (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contributions; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," further regulating transfer of funds to expense or other funds of fraternal benefit societies.

SENATE BILL No. 527

An Act amending the act of May 2 1929 (P L 1237) entitled "An act affecting marital relations prescribing grounds and regulating praceedings for divorce and the annulment of bigamous marriages and amending revising consolidating the law relating thereto" changing the residence requirements for libellant in certain proceedings for divorce

SENATE BILL No. 593

An Act amend the act of May 28 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" extending the benefits to employes of certain authorities created jointly with other political subdivisions or joined in by the cities and authorizing credit for past service on making back payments

SENATE BILL No. 595

An Act amending the act of March 7 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing cities to regulate or prohibit the construction building or maintenance of certain fences made in whole or in part of wire with barbs

SENATE BILL No. 604

An Act amending the act of May 1 1933 (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further prescribing the contents of the township report made by the auditors

SENATE BILL No. 605

An Act amending the act of June 24 1931 (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing the township officers of two or more counties to form joint county associations

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. LOPRESTI asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

SPECIAL WEATHER REPORT

The SPEAKER. At mid-morning, Hurricane Ione was centered near Cape Hatteras. Reported winds were approximately 100 miles per hour. Moderate to heavy rains continue to move ahead of the storm center and are now reported as far north as Washington, D. C.

The path of the storm continues generally northward. If the present trend continues, the center of the disturbance is expected to move into the Central Portion of Eastern Pennsylvania early tomorrow morning.

Reported conditions during the past five hours require changes in the rain, wind and damage predictions set forth in the last Special Storm Bulletin. The 1:00 P. M., E. D. T., predictions for the Lower Susquehanna Valley and Eastern Pennsylvania are as follows: Moderate and scattered heavy rains late this afternoon and evening, with possibly as much as 4 to 6 inches of rainfall in some localities. Winds from 50 to 60 miles per hour, with gusts of approximately 75 miles per hour, are to be expected late tonight and into the early morning hours tomorrow. Rather heavy tree damage with extensive wire line disruption is anticipated. Widespread minor structural damage is probable. Flash flooding is a definite possibility.

In view of anticipated heavy rains and high winds, members of the general public strongly are urged to refrain from all but essential travel this evening. This is particularly true of travel by automobile, where falling trees and downed wires may offer serious hazards.

In the event of rainfall sufficient to cause serious flooding, the State Council of Civil Defense will make every effort promptly to provide all counties with essential information relating to possible dangers. Conversely all County Civil Defense Directors will be expected to keep the Council informed of storm damage and possible dangers within their respective counties.

Special Storm Bulletin No. 3 will be issued at 7:00 P. M., E. D. T., today, unless major change in conditions warrants earlier release.

SPEAKER PRO TEMPORE THANKED

The SPEAKER. Incidentally the Chair desires to thank the gentleman from Crawford, Mr. Kent, who so ably presided at last Wednesday's session of the General Assembly.

He put in a hard day and it was a heavy calendar. While I was present in the House he was doing a very very fine job.

I am told that his performance throughout the entire day would indicate not the amateur but the finished hand of a professional.

PERMISSION TO ADDRESS HOUSE

Mr. CHARLES C. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, we on the Republican side of the House charge that the Leader administration is now planning to impose a three per cent general sales tax, without exemptions, on the people of Pennsylvania and then try to blame it on the Republican party.

That may sound fantastic to a lot of people, particularly after the way Governor Leader campaigned on the promise to abolish the sales tax, and since his election has declared that he would veto such a tax if the Legislature ever enacted it.

I want to quote to you from Miss Genevieve Blatt, who is the Secretary of Internal Affairs, and certainly is a close confidant of Governor Leader. She said in a speech at Pittsburgh over the weekend, and I quote: "The Democratic administration of Governor Leader, may be forced to accept a state sales tax to finance state expenditures", the Internal Affairs Secretary, Genevieve Blatt, says. And I still quote Miss Blatt, speaking yesterday at a Democratic Women's rally, in which she said, "But remember this, it can't be the same sales tax that went out September 1st. That tax was one per cent with many exemptions. If we are ever driven"— and I like that word "driven"— "to a sales tax it will probably be one of three per cent without exemptions".

Miss Blatt blamed those stubborn Republican Senators for killing the Governor's classified income tax.

I ask, Mr. Speaker, is there any one politically closer to Governor Leader than Miss Blatt? Miss Blatt and other Democrats have been saying now that the budget cannot be balanced without a three per cent general sales tax, with no exemptions. That means there will be no exemptions on food, on clothing, on medicine, or products purchased by manufacturers, on feed, fertilizer and seed purchased by the farmer. It would bring in a fantastic amount, an amount of money far in excess of anything ever contemplated when Governor Leader last April proposed his classified income tax with a one per cent wage tax.

Why does Miss Blatt say that a three per cent rate will be necessary? Mr. Speaker, I will tell you, because every week, every month that goes by increases the amount of money which is being lost in this biennium.

Approximately $15 million have already been lost. Now, if we keep on delaying until the end of November without enacting a tax program and balancing the budget, it will mean that seven months of this biennium will be gone before any new tax can go into effect. And seven months, Mr. Speaker, is a long time to be losing tax money.

What does this mean in terms of a sales tax? It means that any tax which the Legislature imposes must produce in sixteen months what it would have produced in twenty-four months if it had been acted upon in time.

I can imagine, Mr. Speaker, what some of the Democrats are now advising the Governor privately. I know that they are saying "let us stall on the taxes until after the November election and then trot out a three per cent sales tax which the Republicans will have to vote for. A three per cent sales tax will raise the money we need. The Republicans will get the blame because has not the Governor said again and again and again, that he was opposed to it and he can still say "I am against it. I still

think it is unfair but the state must have money and the Republicans drove me to it," to quote Miss Blatt.

Well, Mr. Speaker, we have news for you and the Democratic high command, and I would like them to listen to this. There won't be a single Republican vote in the House of Representatives for a three per cent sales tax now, next month or a year from now. Let the Governor keep that in mind.

Governor Leader and his advisors got us into this financial mess by allowing the present sales tax to expire. You have 112 votes on your side, six more than a constitutional majority that is necessary to enact laws. You should start rounding them up right now if you want to pass a three per cent sales tax. You won't get any help from us. If you think you are going to stall, and stall, and stall, until it is necessary to pass a sales tax up to three per cent, and tax everything as Miss Blatt has suggested, including food and clothing, then it is your responsibility and your responsibility alone.

The Governor chose to gamble with the future welfare of our schools and our hospitals and our state institutions. He thought he could eventually turn to the sales tax again at any time the he chose and blame the Republicans for it. No, Miss Blatt, we won't drive you to a three per cent sales tax, because there won't be a single Republican vote in this House for any three per cent sales tax. We are telling the Governor that, and we are telling you that. You get your 106 votes if you want to be driven to a three per cent sales tax.

The SPEAKER. The gentleman from Philadelphia, since we are having nothing much to do just now, might invite all of the Democrats on that side of the House who want to vote for a sales tax to stand up.

Mr. CHARLES C. SMITH. Mr. Speaker, there is going to be a time, without joking and without being facetious, when some of the Democrats are going to have to stand up for something other than the income tax that they proposed. Let us not kid about it, that time is going to draw near.

Mr. Speaker, I can say to you in plain political language that you are not off the hook. Some day you are going to stand up and, if you think you are going to talk a three per cent sales tax, we on this side of the House are not going to stand up. When you start getting reasonable and start realizing that there are going to be a lot of services missed by the people of this state and there are going to be a lot of services that are not going to be rendered to our schools, and our institutions, I think, Mr. Speaker, if you leave it go longer and longer, they are going to stand up or they will not be here two years from now to stand up—believe me.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. GOLDSTEIN for himself for Monday, September 26, because of a religious holiday.

Mr. YETTER for himself for the remainder of the week after today's session.

Mr. Moody for Mr. MOSCRIP for the week on account of storm conditions.

Mrs. Donahue for Mr. KELLER for the week because of illness.

Mr. GUSS for himself for the remainder of the week after today's session on account of storm conditions.

Mr. FRANK for himself for the remainder of the week after today's session on account of storm conditions.

Mr. Eilberg for Mr. McKEEVER for the week because of illness.

Mr. Kolankiewicz for Mr. FINEMAN for the week on account of illness.

Mr. Hewitt for Mr. FROST for the week.

Mr. COCHRAN for himself for the remainder of the week, after today's session.

Mrs. KOOKER for herself for the remainder of the week after today's session.

REPORTS FROM COMMITTEES

Mr. COCHRAN from the Committee on Appropriations, reported as committed, House Bill No. 1799, entitled:

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative esssion of 1955.

Mr. REIDENBACH from the Committee on Appropriations, reported as committed, House Bill No. 1800, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for two fiscal years beginning June first, one thousand nine hundred fifty-five.

Mr. McWHERTER from the Committee on Judiciary, reported as committed, Senate Bill No. 455, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," eliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by an Authority.

BILLS ON FIRST READING

Mr. COCHRAN asked and obtained unanimous consent for House Bill No. 1799 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1799, entitled:

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. REIDENBACH asked and obtained unanimous consent for House Bill No. 1800 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1800, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-five.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1781, entitled:

An Act amending the act of July 28 1953 (P L 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" enabling county commissioners to establish by resolution the requirements of responsible bidders for county printing

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

APPROPRIATION BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1746, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriatinos will be available to the school.

And said bill having been read at length the second time and agreed to.
Ordered. To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1783, entitled:

An Act to provide for the ordinary expenses of the Department of Health for two years beginning June first one thousand nine hundred fifty-five

And said bill having been read at length the second time and agreed to
Ordered. To be transcribed for third reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 115, entitled:

An Act amending the act of December five one thousand nine hundred thirty-six (1937 P L 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" further defining "unemployed" as to members of the General Assembly

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 500, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by person associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulting practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by requiring public utilities to give written notice and to make available to any political subdivision municipal corporations or other designated interested party upon request with copies of all increases in existing tariffs and all data and evidence submitted to the commissions in support thereof requiring a public hearing by the commission not less than sixty days from time of filing proposed increase concerning the lawfulness of such rate providing that the rate in force at the time of filing the increase shall continue until adjudication of the litigation between the parties pending before the commissions provided however that the commission shall have the commission shall have the power to change such rates for reasonable cause providing that the commission shall not by the establishment of tem-

porary rates or by rule or otherwise circumvent alter or modify provisions of this amendment relative to increases in existing law providing that temporary rates may be established by the commission only after notice and hearing as required by section three hundred eight and by providing that common carriers by motor vehicles except those which transport passengers shall be exempt from certain provisions of this act

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 662, entitled:

An Act amending the act of May 5 1933 (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporation conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of act relating to corporations" empowering nonprofit corporations to transfer their property and assets in trust

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1055, entitled:

An Act repealing section 208.1 act of December 5 1936 (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" prohibiting the granting of regular employe status in the classified service to certain personnel

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1111, entitled:

An Act enabling county commissioners of counties of the first and second class to establish by resolution the requirements of responsible bidders for county printing

The first section was read.

On the question,

Will the House agree to the section?

Mr. LIMPER offered the following amendments:

Amend Sec. 1, page 1, line 1 by striking out "commissioners" and inserting in lieu thereof Department of Procurement.

Amend Sec. 1, page 1, line 1 by striking out "and second".

Amend Sec. 1, page 2, lines 2 and 3 by striking out "chief clerk of the county commissioners" and inserting in lieu thereof Department of Procurement.

Amend Sec. 1, page 2, line 15 by striking out "county commissioners" and inserting in lieu thereof Department of Procurement.

Amend Sec. 1, page 2, line 16 striking out "county salary" and inserting in lieu thereof, administrative.

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. LIMPER offered the following amendments:

Amend Title, page 1, first line of Title by striking out "county commissioners" and inserting in lieu thereof, the Department of Procurement.

Amend Title, page 1, first line of Title, by striking out "and second".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1116, entitled:

An Act enabling governing bodies of cities of the first second and second class A to establish by ordinance the requirements of responsible bidders for city printing

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill 1340, entitled:

An Act amending the act of March 10 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parachial schools amending revising consolidating and changing the laws relating thereto" further providing for payments to school districts on account of pupil transportation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1387, entitled:

An Act amending the act of May 13 1915 (P L 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance re-issuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" regulating the employment of minors on farms

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1388, entitled:

An Act amending the act of May 25 1945 (P L 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers of said political subdivisions and prescribing penalties" changing the salaries of the tax collector in cities of the third class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1391, entitled:

An Act amending the act of June 23 1931 (P L 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" fixing the minimum salary of city treasurers

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1396, entitled:

An Act to further amend section 2 of the act approved the twenty-third day of May one thousand nine hundred forty-nine (Pamphlet Laws 1676) entitled as amended "An act to provide revenue in school districts of the first class by imposing a tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties' by changing certain exemptions.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1402, entitled:

An Act to further amend section 2 of the act approved the twentieth day of June one thousand nine hundred forty seven (Pamphlet Laws 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by changing certain exemptions

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study .

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1501, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey real property situate in the Borough of West Chester Chester County

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1545, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganiation of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" establishing a Department of Recreation and defining its powers and duties

The first section was read.

On the question,

Will the House agree to the section

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1546, entitled:

An Act relating to and providing for the promotion and development of a State-wide recreation program in the Commonwealth conferring powers and duties upon the Department of Recreation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, for the information of the House, in view of the great uncertainty of the weather some of the Members of the House have found it necessary to leave and it will be impossible to process any controversial bills during the balance of the afternoon. At present we intend to have nothing but consent bills brought before the House for the balance of today, tomorrow and Wednesday.

I am informing you of this fact so that anyone who feels he should leave to go home can do so immediately and not have to wait for third reading bills or other matters for which you may have been waiting.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1589, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and their assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the names of the general hospitals

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1590, entitled:

An Act amending the act of June 19, 1939 (P. L. 438) entitled "An act declaring certain restricted State hospitals to be general hospitals and within the limitations of their individual facilities open for the treatment of patients and cases which other general hospitals may treat" changing the names of the general hospitals

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1592, entitled:

An Act amending the act of May 14, 1907 (P. L. 197) entitled "An act to provide for the establishing and maintenance of one or more sanatoria or colonies in Pennsylvania for the free care and treatment of indigent persons suffering from tuberculosis and making an appropriation therefor" extending its provisions to all persons suffering or suspected of suffering from tuberculosis

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1593, entitled:

An Act regulating waste disposal areas in certain parts of the Commonwealth providing for permits placing duties upon the Department of Mines and imposing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1613, entitled:

An Act to further amend section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by requiring every title insurance or trust company bank and trust company or trust company to compute and pay the State tax on shares of capital stock when making reports and extending the date for making such reports

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1617, entitled:

An Act amending the act of July 11 1917 (P. L. 769) entitled "An act to regulate the importation into the State of Pennsylvania of dependent delinquent or defective children and providing a penalty for the violation thereof" authorizing use of forfeited bond for the further placing of children

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1642, entitled:

An Act to add clause (1) to section two thousand one hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing and making it the duty of the Department of Health to provide limited training in the field of public health work for certain State and municipal employes

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1643, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" redefining the powers and duties of the Department of Health

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1695, entitled:

An Act amending the act of March 7 1901 (P. L. 20) entitled "An act for the government of cities of the second class" increasing the jurisdiction of magistrates of the municipal traffic court in cities of the second class.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1721, entitled:

An Act amending the act of May 15 1933 (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing

of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds property and investments held in a fiduciary capacity.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1723, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that State policemen assigned to duty with the Pennsylvania Turnpike Commission shall not be counted against the total number of officers and men in the State Police Force.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1725, entitled:

An Act relating to the use of conveyor belts in coal mines providing for the safety of persons employed therein and the protection of property connected therewith conferring powers and imposing duties upon the Department of Mines and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1726, entitled:

An Act amending the act of May 5 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further regulating regular meetings of boards of directors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1734, entitled:

An Act amending the act of July 15 1935 (P. L. 1034) entitled "An act requiring operators of anthracite coal mines to report shipments to the Department of Mines" requiring breakers washeries or preparation plants to file reports and changing the time for filing reports.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1736, entitled:

An Act amending the act of May 5 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" removing the right of appeal to the Governor in cases of incorporation merger consolidation and conversion of building and loan associations and Federal savings and loan associations and making the decision of the Department of Banking conclusive.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1752, entitled:

An Act amending the act of June 9 1911 (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" changing applicability of act and the requirement of a mine foreman in small mines

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1773, entitled:

An Act further amending the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" making certain information regarding refunds available for public inspection changing certain provisions as to the imposition and remission of penalties and granting of refunds and clarifying provisions as to settlements

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 235, entitled:

An Act amending the act of June 21 1939 (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by including tuberculosis within the meaning of the term occupational disease in the occupation of nursing

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. CAPANO. Mr. Speaker, I move that this bill be recommitted to the Committee on Workmen's Compensation for the purpose of further consideration.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 262, entitled:

An Act amending the act of May 26 1949 (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" authorizing fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendments:

Amend Section 1 (Section 3), page 3, line 6, by inserting after the word "by" and before the word "International" the following: "the."

Amend Section 1 (Section 3), page 3, line 8, by inserting after the word "pay" and before the word "or" the following: "by the International Bank for Reconstruction and Development."

Amend Section 1 (Section 3), page 3, line 9, by inserting after the word "guarantee" and before the word "of" the following: "by the International Bank for Reconstruction and Development."

Amend Section 1 (Section 3), page 3, line 14, by inserting after the word "fiduciary" and before the word "shall" the following: "at the time of making the investment."

Amend Section 1 (Section 3), page 3, line 15, by striking out at the end of the line after the word "obligations" the following: "at the time of making the."

Amend Section 1 (Section 3), page 3, line 16, by striking out at the beginning of the line before the word "the" the following: "investment."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 267, entitled:

An Act amending the act of June 24 1939 (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" further outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 268, entitled:

An Act amending the act of May 5 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights

powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further defining and limiting the rights powers duties liabilities and immunities of such associations and making further provisions governing the transfer of shares the payment of trustee accounts authorized investments security for mortgage loans and loans secured by chattel paper

The first section was read.

On the question,

Will the House agree to the section?

Mr. GELFAND offered the following amendment.

Amend Sec. 1, page 2, line 3 by inserting after "Code" is amended.

It was agreed to.

The section was agreed to as amended.

The second to seventh sections inclusive were read and agreed to.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. GELFAND offered the following amendments:

Amend Sec. 8, page 16, line 3 by striking out "8" and inserting in lieu thereof "9."

Amend Sec. 8, (Sec. 915) page 16, lines 7 and 8 by striking out the brackets after "chattel" in line 7 and before "mortgage" in line 8.

Amend Sec. 8 (Sec. 915) page 18, line 2 by striking out "the" where it appears the first time in said line.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 277, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor districts auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the laws relating to the care of the poor; and repealing existing laws," further providing for the administration of the fiscal affairs of the county institution districts in counties of the third to eighth classes, regulating the making of contracts and purchases authorizing such districts to take by gift, grant, devise or bequest money and property and conferring powers and imposing duties on county commissioners, county treasurers, county controllers, and county auditors.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 456, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" conferring exclusive jurisdiction on certain courts over service

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 457, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further providing for appropriations by such cities to official police pension funds

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 459, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment, and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," clarifying the provisions of the act as to the aggregate amount of taxes any political subdivision may levy, during a fiscal year, and extending certain temporary provisions relative thereto; providing for the publication of notices concerning certain tax ordinances and resolutions; and permitting the imposition of taxes free from certain restrictions prescribed by existing laws.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 472, enittled:

An Act amending the act of May 15, 1933, (P. L. 624) entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers and of baking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties liabiliaies, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes, mutual banking associations or private bankers, or affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation: conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State department, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," providing for notice to, and rights of, National banking associations in cases where a branch is proposed to be established by an institution in a county contiguous to that of its principal place of business.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Banking and Building and Loan Associations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 508, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" requiring directors of departments to prepare and submit quarterly reports to the Director of the Department of Accounts and Finance

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 510, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating appropriations for maintenance and operation of recreation places

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 603, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "An act creating in each county (except of the first class) as a seperate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the Sate Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers. guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," authorizing the sale of surplus farm products and other personal property.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 646, enittled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended, 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer fireman or their dependents," entitling certain unemployed persons to benefits and fixing minimum compensation payments.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. CAPANO. Mr. Speaker, I move that this bill be recommitted to the Committee on Workmen's Compensation for the purpose of further consideration.

The motion was agreed to.

INTERROGATION

Mr. TOMPKINS asked and obtained unanimous consent to interrogate the Majority Leader.

Mr. TOMPKINS. Mr. Speaker, last Wednesday I interrogated the Majority Leader in connection with a concurrent resolution which came over to the House from the Senate relating to the investigation at Morganza. At that time he said the resolution would be considered in the Rules Committee today.

Mr. Speaker, I should like to ask him what action was taken by the Rules Committee on that resolution.

Mr. READINGER. Mr. Speaker, the matter was considered by the Rules Committee today and the decision is being considered as to whether the resolution should or should not be reported to the floor of this House. There was no decision made by the Rules Committee on the matter, but it is under consideration.

Mr. TOMPKINS. Mr. Speaker, I should like to ask the Majority Leader for the reasons heretofore expressed by myself why that resolution was not reported and why it is delayed and, also, the circumstances?

Mr. READINGER. Mr. Speaker, the gentleman may ask, but he will get no answer. The Rules Committee is considering the matter and until it has made a decision the gentleman will get no answer why it has decided one way or another because it has not made any decision as yet.

Mr. TOMPKINS. Thank you, Mr. Speaker.

I have no further question on that particular point, with the exception that I would like to state that certainly the people of the Commonwealth of Pennsylvania are interested enough to wish to know why this delay and this apathy toward a situation as serious as we have at Morganza.

PERMISSION TO ADDRESS HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, within the last week or ten days a report has come out from the Executive Committee on the American Legion whereby they propose to submit to their National Convention in Florida next month a rescission of the condemnation of UNESCO.

In that connection I should like to submit for the record a letter on that subject which was written to Mr. Paul Selecky, the Pennsylvania Department Commander of the American Legion, in July of 1954 and ask that it be printed in the Journal.

July 14, 1954

Mr. Paul R. Selecky
Pennsylvania Department Commander
The American Legion
1200 Miner's National Bank Building
Wilkes-Barre, Pennsylvania

Dear Paul:

About a year ago the National Executive Board of the American Legion adopted a resolution condemning UNESCO.

I am reliably informed that since that action, a committee was appointed to review and look into this subject. That they were taken into the high mountains of the State Department and allowed to view some kind of a promised land. That as a result the Committee is recommending or prepared to recommend a rescission of the action of the Executive Board. That a resolution seeking such rescission is proposed for consideration of the 1954 Convention of the Pennsylvania Department.

Let's take a look at the Record.

A UNESCO publication "A Handbook for The Improvement of Textbooks and Teaching Materials" states: "The United States, for example, considered it impossible to sign (the Casares Resolution of 1924 of the International Committee on Intellectual Cooperation—an arm of the old League of Nations) because of the fact that in that country public education was not under the control of the Federal Government." Public education in this country is still not under control of the Federal Government. Nor do I want it under control of the Federal Government. But should UNESCO be approved, and ratified as a Treaty, education would still not be under control of the Federal Government, but would be under control of an International group, still further removed than the Federal Government from local operation or control. And yet they say we do not need the Bricker Amendment.

The same UNESCO publication states:

"On the basis of the information collected, several documents were begun in 1948 and completed early in 1949. Among these are:

"A Model Plan for the Analysis and Improvement of Textbooks as Aids to International Understanding. This model plan contains principles and criteria for the analysis and appraisal of textbooks and suggestions for using them in textbook analysis projects." Who says that this is not an attempt to rewrite our textbooks?

This same Handbook makes one of the most diabolical suggestions I have ever come across in avoidance of responsibility, when it states: "When using an unfavorable quotation, it is generally preferable not to cite the name of the author nor the title of the book, in order not to risk harming some author or publisher unjustly." What a happy hunting ground for the smear artists, the subversives and the blah! blah! boys! What a wall of protection for character assassination! Is this the academic freedom I hear so much about?

The insure that such teachings of the International Brain-Trusters and indoctrinators is incorporated in the textbooks of our public schools, it is further recommended that "colleges and universities are to consider education for international understanding in established entrance examinations and requirements, and educational organizations are, if necessary, to bring organized pressure to bear against highly undesirable books."

Besides not being able to obtain a higher education if you are not well indoctrinated in the Public Schools in the philosophy of the one worlders, just what books would be considered highly undesirable is not stated. Would books on United States and Pennsylvania History and Civics be considered highly undesirable? In 1951 Pennsylvania by legislation required the teaching of United States and Pennsylvania History in our public schools. In 1953 we provided that Civics should be taught in our public schools. At the June 1954 meeting of the Pennsylvania Bar Association a resolution to the same effect was adopted. Now, if UNESCO should be approved as a Treaty, and we do not protect ourselves with the passage of the Bricker Amendment, what would there be to prevent the International propogandists from saying that the textbooks on United States and Pennsylvania History and Civics are highly undesirable and thereby exclude them from our schools? For don't forget treaties are the Supreme Law of the land, and supersede State Laws, which would wipe out the above Pennsylvania Legislation. To me the thought is frightening. In the name of everything that is American, must we appease this scheming crowd to that extent? May God have mercy upon the virility of America if this is so!

Late in 1952, it was announced with fanfare that UNESCO "had allocated $600,000 to underwrite a new world history, in six volumes, which should eliminate bias." The Christian Religion has been trying to eliminate bias for 2,000 years, but I find nowhere in any of the UNESCO publications that these Christian doctrines be given a fair trial. And to think that it is now proposed that one thousand scholars, working for five years, will be able to produce and accomplish for mankind a substitute for the Golden Rule which they contend will work. Such perfidy!

I also wonder, when this work is done, what suggestions and proposals will be made about the millions of History Books now reposing in our libraries. Certainly if they are going to write a history without bias, then these library books must contain bias. They will not want them available as a source to poison men's minds. What's all this hullabaloo about book burning?

Let's go a little further with the Record. Another Handbook of UNESCO states:: "Sennacherib and the Roman Triumvirs earned universal obloquy by their mass executions and tyrannies, but these horrors were not wreaked upon us and those we love; they are so antique as not to stir us any more, and they consequently do not prevent us from feeling amicably disposed toward the present inhabitants of Iraq and Italy!"

Do they mean to infer by this that such tyrannies and atrocities should not be published or mentioned? Of course it would be a clever way to suppress Lidice, Katyn Forest, the Slave Labor Camps behind the Iron Curtain, and the Korean tortures and executions; not to say anything about the Bibical stories of Cain and Abel, the Flood, and the Crossing of the Red Sea. Are these to be stricken from the Bible?

Another handbook states: "We want no more of those history or reading books that every day introduce young children of France into the chamber of horrors of war; we want no longer a travesty of history that contains the germs of mistrust, contempt, hatred and war." How then do we eliminate the Bibical Wars of the Old Testament—or the New Testament prophesies of wars and rumors of wars? Just how many more insidious suggestions can be made to undermine the Bible—and how much longer shall we tolerate it?

Still more of the Record. "The teacher's associations belonging to the international federation assert their determination to direct their teaching towards international solidarity and understanding, to eliminate tendentious works, to edit works of their respective countries that are fit to be translated into all languages and introduced into the schools of all countries, to concentrate on the publication of an international work to make known the contributions of every people to universal civilization."

I will be much interested to know how they will write the history of Rome without reference to the Caesars; or of England without William the Conquer and Cromwell; France without Napoleon; Germany without Bismark and Hitler; and of America without Washington and the Revolution and Lincoln and the Civil War.

Next of course are the parents and the home. A serious concern of the UNESCO school program is to "correct many of the errors of home training." So now parents don't know anything and our homes are a mistake. "The narrow family spirit of the parents may, in fact, not only compromise indirectly and in some degree, unconsciously, the eventual integration of the child in the human community, but it may also cultivate attitudes running directly counter to the development of international understanding." UNESCO sees nothing wrong with their proposal that the child should be taught to despise his parents' social attitudes. With this we discard the Fifth Commandment.

The moving finger writes. Mrs. Eugene Meyer speaking in the March 19, 1952 issue "The Public and Education," official organ of N.E.A. "attributes one difficulty of this new role of public education to the fact that schools do not get the child until he is six years old (what modern nations have snatched their children at birth and made them wards of the State?) and after his character and intuitive sense of right and wrong are well on the way to be fixed." (Whence will come all the supermen to replace the home and church?). In addition to this she said, "the school now gets an enormous number of children who have emotional problems of varying seriousness at a time when classes in many places are swollen to an average of forty or more." What kind of double talk is this—we don't get the children soon enough and we have too many children? And where did these ideas originate? I read the same thing in UNESCO handbooks.

The Record of the Handbooks continues:

"As long as the child breathes the poisoned air of nationalism, education in worldmindedness can produce only rather precarious results. As we have pointed out, it is frequently the family that infects the child with extreme nationalism."

If the dignity of the individual against that of the State and the masses be nationalism—then I am all for it.

If the concept that we are a Nation ruled by laws and not by men be Nationalism—then again I am all for Nationalism.

If the freedoms and liberties vouchsafed to us by the Bill of Rights be Nationalism—then all the more power for Nationalism.

If the offering of thanks to Almighty God for the freedoms, liberties and bounties which have been bestowed upon us be Nationalism—then let those who make such statements as the above make the best of it.

As for me, if such teachings to my children be infectious poison, I am proud of it—and I shall continue to infect not only my own children but as many others as I can with such American standard brand of poison, any UNESCO or other international alphabet agency to the contrary nothwithstanding.

And I don't want any American official telling me or my family—"if we are now going to say that any legally binding document is detrimental to the interests of the United States because in certain instances it does not give as wide freedoms as our own laws do, we are taking the same attitude as the Soviet Union," which is what our former representative to the United Nations said in her column of April 15, 1952.

Every person to their own choosing. Let the sinking kind repair to the land of the philosophy of the Quagmire. I prefer the American philosophy of help up—lift up. Let's have no more of this balderdash that we can best serve ourselves by sinking to the others level.

Just one more from the Record: "A Teacher's Charter should secure for all members of the teaching profession the liberty to provide such an education by the means they decide upon."

In answer to this I quote from an editorial of the Saturday Evening Post of July 14, 1951: "Even if there were no quarrel with what or how the teachers taught, could we, should we, accept the idea of alienation from home ties? Is it consistent with the nature of things for the mother to rid herself of all concern in the intellectual development of her offspring? Finally, is it consonant with democracy to say that the taxpayer has no voice in how his money shall be spent?"

In closing I should like to call your attention to the following:

Russia did not sign or become a party to the original UNESCO pact. She has since however come in, which grants to all her teachers and scholars and those who pose or pretend to be, the right to roam the classrooms of our Nation under the immunition of the United Nations Charter.

UNESCO refused to participate in the clean-out of Communists which struck the main U. N. offices in 1952.

The president has just signed a bill which adds the words "Under God" to our pledge of allegiance to the flag.—For God.

A year ago a bill was approved which forbids any flag to be flown superior to that of the United States.—For Country.

Should there be any doubts arise as to whether the condemnation of UNESCO should be rescinded —then just let's for once resoundingly resolve that doubt in favor of the good old U. S. A.— and hold fast to the condemnation.

Yours for God and Country

EDWIN W. TOMPKINS

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1706

Mr. THOMAS. Mr. Speaker, I move that the vote by which House Bill No. 1706, Printer's No. 841, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled 'An act relating to counties of the second class amending, revising, consolidating and changing the laws relating thereto,' reducing interest on damages allowed in eminent domain proceedings.

was defeated on final passage Tuesday, September 13, 1955, be reconsidered.

Mr. SARRAF. Mr. Speaker, I second the motion.

Mr. SPEAKER. How did the gentleman from Allegheny, Mr. Thomas, vote on the final passage of this bill?

Mr. THOMAS. Mr. Speaker, I voted with the prevailing side.

Mr. SPEAKER. How did the gentleman from Allegheny, Mr. Sarraf, vote on the final passage of this bill?

Mr. SARRAF. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. THOMAS. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

APPROPRIATION BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1650, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania and to the Cresson Volunteer Fire Company of Cresson Pennsylvania and making an appropriation to the Hollidaysburg Volunteer Fire Company and the Duncansville Volunteer Fire Company for the protection of State property.

RECONSIDERATION OF VOTE

Mr. BANKER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BANKER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, second line of Title, by inserting after "Pennsylvania": "to the Huntingdon Volunteer Fire Company."

Amend Bill, page 3, by inserting after line 5:

Section 4. The sum of one hundred fifty dollars ($150) is hereby specifically appropriated to the Huntingdon Volunteer Fire Company, for the two fiscal years beginning June 1, 1955, for the protection of State property at Huntingdon, Pennsylvania.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no obectjion

House Bill No. 375, Printer's No. 912,
House Bill No. 554, Printers No. 920,
House Bill No. 555, Printer's No. 921, and
House Bill No. 824, Printer's No. 922

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1060, entitled:

An Act defining and providing for the licensing of water well drillers prevention of pollution of underground waters conferring powers and imposing duties on the Water and Power Resources Board of the Department of Forests and Waters and prescribing penalties.

RECONSIDERATION OF VOTE

Mr. READINGER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GUSS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 3, page 3, line 14, by inserting after

the word "any" and before the word "well" the following: "water.'

Amend Section 3, page 3, line 17, by inserting at the end of the line after the word "him" the following: "for farming purposes or any natural person drilling a well on land owned by him or of which he is a lessee and used by him as his residence."

Amend Section 3, page 3, by inserting between lines 19 and 20 the following: (7) "Well owner" shall mean any person who owns land used for any purpose on which a well has been drilled.

Amend Section 4, page 4, line 3, by inserting after the ford "form" and before the word "as' the following: "and subject to such regulations.'

Amend Section 5, page 4, line 8, by striking out after the word "studies" and before the word "the" the following: "or whether" and inserting in lieu thereof the following: "and the Board may upon the payment of reasonable compensation utilize the abandoned well for ground water studies for such period of time as the Board deems advisable. The Board may require."

Amend Section 5, page 4, line 8, by striking out at the end of the line after the word "owner" the following: "shall."

Amend Section 5, page 4, line 9, by striking out at the beginning of the line before the word "to" the following: "be required."

Amend Section 5, page 4, line 9, by striking out after the word "fill" and before the word "well" the following: "such," and inserting in lieu thereof the following: "any abandoned."

Amend Section 5, page 4, line 12, by striking out at the end of the line after the word "Board" the following: "and then."

Amend Section 5, page 4, line 13, by striking out at the beginning of the line before the word "compliance" the following: "only subject to" and inserting in lieu thereof the following: "such permission to be conditional upon."

Amend Section 5, page 4, line 13, by striking out after the word "the" and before the word "and" the following: "conditions" and inserting in lieu thereof the following: "requirements."

Amend Section 11, page 7, line 12, by striking out after the word "waste" and before the word "water" the following: "permitting" and inserting in lieu thereof the following: "without permission in writing from the Board or permit."

Amend Section 11, page 7, line 12, by striking out after the word "or" and before the word "any" the following: "abandoning" and inserting in lieu thereof the following "abandon."

Amend Sec. 11, page 7, line 12, by striking out "permitting water to run to waste."

Amend Section 11, page, 7, line 13, by striking out at the end of the line after the word "well" the following: "without."

Amend Section 11, page 7, line 14, by striking out at the beginning of the line before the word "shall" the following: "permission in writing from the Board" and inserting in lieu thereof the following: "when required to do so by the Board."

Amend Section 12, page 7, by striking out lines 17 to 20 inclusive.

Amend Section 13, page 8, line 1, by striking out after the word "Section" and before the word "The" the following: "13" and inserting in lieu thereof the following: "12."

Amend Section 14, page 8, line 5, by striking out after the word "Section" and before the word "If" the following: "14" and inserting in lieu thereof the following: "13."

Amend Section 15, page 8, line 9, by striking out after the word "Section" and before the word "The" the following: "15" and inserting in lieu thereof the following: "14."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They weer agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

House Bill No. 1390, Printer's No. 923, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 514, as follows:

An Act amending the act of May 17 1917 (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" further providing for the suspension and revocation of registration by the State Board of Pharmacy

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 act of May 17 1917 (P L 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" amended May 11 1949 (P L 1095) is amended to read

Section 6 [That the registration of any pharmacist or assistant pharmacist under this act of Assembly may be revoked by the] The State Board of Pharmacy shall have the power to revoke any registration under this act when the registration is proved to have been obtained by fraudulent means [or suspended or revoked] and to suspend or revoke the registration of any pharmacist or assistant pharmacist for any of the following reasons

(1) Conviction of a second violation in connection with the practice of pharmacy of any law of this Commonwealth or of the United States

(2) Paying rebates to physicians or entering into an agreement with a physician for payment in any form for the recommending of the professional services of either party

(3) Knowingly compounding dispensing or selling or knowingly causing or permitting the compounding dispensing or sale of any drug which contains more or less than the quantity of ingredient or ingredients specified by the person ordering or prescribing such drug or which contains an ingredient or ingredients other than those specified by the person ordering or prescribing such drug or which is of a brand or which contains an ingredient or ingredients of a brand other than that specified by the person ordering or prescribing such drug unless in the case of a drug dispensed pursuant to a prescription the consent of the prescriber is first obtained Provided however That nothing in this act shall be construed to prohibit the addition of such inert ingredients as may be required in the art of compounding preparing mixing or otherwise producing drugs

Before [any] the registration [is] of any pharmacist or assistant pharmacist shall be suspended or revoked the holder of such registration certificate shall be given a hearing before the State Board of Pharmacy after notice of the time and place of such hearing and of the charges made against him At such hearing the accused may be represented by counsel and shall be entitled to compulsory attendance of witnesses

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein.	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boies,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Muldowney,	Stroup,
Brenninger,	Holt,	Mullen,	Swartz,
Breth,	Horst,	Munley,	Taylor,
Brown,	Houk,	Murphy,	Thomas,
Bucchin,	Isaacs,	Murray, H. P.,	Thompson,
Bullen,	Jenkins,	Murray, J. J.,	Toll,
Capano,	Johnson,	Murray, P. G.,	Tompkins,
Cianfrani,	Jones, G. E.,	Musto,	Toomey,
Cioffi,	Jones, T. H. W.,	Naugle,	Varallo,
Cochran,	Jump,	Needham,	Vaughan,
Comer,	Kamyk,	Ogilvie,	Varner,
Connelly,	Kehler,	Olsen,	Verona,
Cooper,	Kent,	O'Neil,	Wall,
Curwood,	Kline,	Pacchioli,	Wallace,
Davis,	Knecht,	Parry,	Walsh,
Donahue,	Kolankiewicz,	Pashley,	Wargo,
Donaldson,	Kornick,	Paulhamus,	Waterhouse,
Dougherty,	Kratz,	Petrosky,	Weidner,
Down,	Kromer,	Pettigrew,	Welsh,
Ehrgood,	Kubacki,	Polaski,	Wescott,
Eilberg,	Lafore.	Polen,	Wheeler,
Erb,	Lawyer,	Pomeroy,	Whitenight,
Eshleman,	Leiby,	Price,	Willaredt,
Ewing,	Leisey,	Pursley,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Filo,	Leven,	Reibman,	Wood,
Flint,	Light,	Reidenbach,	Worley,
Floyd,	Limper,	Renwick,	Yetter,
Flynn,	Lippincott,	Rigby,	Yetzer,
Foster,	Lopresti,	Rosen,	Young,
Frank,	Lovett,	Rovansek,	Ziegler,
Frascella,	Lutty,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—6

Fineman,	Keller,	McKeever,	Moscrip,
Frost,	Kooker,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

APPROPRIATION BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1687, as follows:

An Act amending the Act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the Executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating the Advisory Board on Problems of Older Workers within the Department of Labor and Industry and placing additional powers and duties in the Department of Labor and Industry with respect to aging and aged persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 203 Act of April 9 1929 (P. L. 177) known as "The Administrative Code of 1929" amended July 28 1953 (P. L. 656) is amended to read

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are placed in and made part of the respective administrative departments as follows

In the Department of Military Affairs
State Military Reservation Commission
State Veterans Commission
In the Department of Forests and Waters
State Forest Commission
Flood Control Commission
In the Department of Health
Advisory Health Board
In the Department of Labor and Industry
Industrial Board
Advisory Council on Affairs of the Handicapped
Advisory Board on Problems of Older Workers
In the Department of Welfare
State Welfare Commission
In the Department of Property and Supplies
General Galusha-Pennypacker Monument Commission

Section 2 The act is amended by adding after section 463 a new section to read

Section 464 Advisory Board on Problems of Older Workers

(a) The Advisory Board on Problems of Older Workers shall consist of nine members who shall be appointed by the Governor The Secretary of Labor and Industry shall be ex-officio chairman of the Board

(b) The terms of the members shall be for four years from the dates of their appointment or until their successors are appointed and qualified

(c) Five members of the Board shall constitute a quorum

(d) Each member of the Board shall receive per diem compensation at the rate of thirty-five dollars ($35) per day for the time actually devoted to the business of the Board such compensation not to exceed in any calendar year the sum of five thousand dollars ($5,000) per member The compensation of the members of the Board shall be paid from funds available to the Department of Labor and Industry for operation of its employment programs

Section 3 The act is amended by adding after section 2209.1 a new section to read

Section 2209.2 Advisory Board on Problems of Older Workers

(a) The Advisory Board on Problems of Older Workers shall have the power and its objective shall be to consider and advise the Secretary of Labor and Industry upon all matters related to the problems of the aging and the aged including the formulation of policies and programs to inform guide and assist the secertary in the performance of his duties and responsibilities with respect to the problems of the aging and aged persons In the performance of its objective it shall study investigate analyze and assess exitsing knowledge and programs related to the problems of the aging and the aged to determine what measures can be taken to provide a better integration of this group in the economic life of the Commonwealth

(b) The Board may for the purpose of accomplishing its objective hold such hearings and sit and act at such times and places as the Board may deem advisable

(c) The Board is authorized to secure directly from any administrative department or independent administrative or departmental administrative board or commission information suggestions estimates and statistics for the purpose of performing its objective and each such administrative department or independent administrative or departmental administrative board or commission is authorized and directed to furnish such information suggestions estimates and statistics directly to the Board upon request made by the chairman

Section 4 The act is amended by adding after section 2210 a new section to read

Section 2210.1 Older Workers

The Department of Labor and Industry shall have the power and its duties shall be

(a) To develop through public employment offices specialized services in counseling and placement programs for older workers and foster through cooperative effort the development of the facilities of other governmental and private agencies for expanding the opportunities and potentials of aging persons

(b) To develop in cooperation with the federal government state local and private agencies sound programs for the occupational rehabilitation and vocational training of the employed and unemployed among the aging

(c) To conduct research with the view to reducing age barriers in the hire employment and retention of older workers including analysis of the nature and scope of the problems confronting aging persons the compilation of adequate current statistics with respect thereto and the development of measures for improving the utilization of older workers and their skills

(d) To sponsor in communities of the Comomnwealth informational and educational programs to aid in the hire employment and retention of older workers

(e) To formulate and submit to the Governor measures for eliminating age restrictions in public employment reducing relative costs incident to the employment of older workers and developing financial and other incentives in industry for their employment

(f) To recommend to the Governor such specific proposals for legislation as are deemed necessary and proper in such fields as unemployment compensation insurance education vocational training and rehabilitation for easing and stimulating the employment of aging workers

Section 5 Appropriation The sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary for the administration of this act exclusive of moneys received by the Commonwealth for such purpose under any act of Congress is hereby specifically appropriated to the Department of Labor and Industry for the purpose of carrying out the provisions of this act

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boies,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Muldowney,	Stroup,
Brenninger,	Holt,	Mullen,	Swartz,
Breth,	Horst,	Munley,	Taylor,
Brown,	Houk,	Murphy,	Thomas,
Bucchin,	Isaacs,	Murray, H. P.,	Thompson,
Bullen,	Jenkins,	Murray, J. J.,	Toll,
Capano,	Johnson,	Murray, P. G.,	Tompkins,
Cianfrani,	Jones, G. E.,	Musto,	Toomey,
Cioffi,	Jones, T. H. W.,	Naugle,	Varallo,
Cochran,	Jump,	Needham,	Varner,
Comer,	Kamyk,	Ogilvie,	Vaughan,
Connelly,	Kehler,	Olsen,	Verona,
Cooper,	Kent,	O'Neil,	Wall,
Curwood,	Kline,	Pacchioli,	Wallace,
Davis,	Knecht,	Parry,	Walsh,
Donahue,	Kolankiewicz,	Pashley,	Wargo,
Donaldson,	Kornick,	Paulhamus,	Waterhouse,
Dougherty,	Kratz,	Petrosky,	Weidner,
Down,	Kromer,	Pettigrew,	Welsh,
Ehrgood,	Kubacki	Polaski,	Wescott,
Eilberg,	Lafore,	Polen,	Wheeler,
Erb,	Lawyer,	Pomeroy,	Whitenight,
Eshleman,	Leiby,	Price,	Willaredt,
Ewing,	Leisey,	Pursley,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Filo,	Leven,	Reibman,	Wood,
Flint,	Light,	Reidenbach,	Worley,
Floyd,	Limper,	Renwick,	Yetter,
Flynn,	Lippincott,	Rigby,	Yetzer,
Foster,	Lopresti,	Rosen,	Young,
Frank,	Lovett,	Rovansek,	Ziegler,
Frascella,	Lutty,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—6

Fineman,	Keller,	McKeever,	Moscrip,
Frost,	Kooker,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 257, Pritner's No. 679
House Bill No. 369, Printer's No. 316
House Bill No. 370, Printer's No. 868 and
House Bill No. 501, Printer's No. 913

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 549, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing registration fees for certain motor buses and motor omnibuses and prohibiting the registration and operation of motor buses or motor omnibuses equipped with metal solid rubber or cushion rubber tires

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

House Bill No. 873, Printer's No. 875
House Bill No. 929, Printer's No. 876
House Bill No. 1101, Printer's No. 878 and
House Bill No. 1219, Printer's No. 383

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1226, entitled:

An Act requiring the State Treasurer to deduct the tax imposed by any first class city upon salaries, wages, and other compensation, paid to officers and employes of the Commonwealth domiciled or performing services within that city, and to make a return and remit the tax so deducted to the Revenue Commissioner of the city.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

House Bill No. 1236, Printer's No. 692
House Bill No. 1268, Printer's No. 896
House Bill No. 1413, Printer's No. 834
House Bill No. 1562, Printer's No. 607
House Bill No. 1618, Printer's No. 837
House Bill No. 1674, Printer's No. 838 and
House Bill No. 1707, Printer's No. 842

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1735, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the speed of certain vehicles.

On the question,

Will the House agree to the bill on third reading?

Mr. AMARANDO. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 1002), page 3, line 8, by inserting at the end of the line after the word "provided" the following: "or greater than the highest maximum speed limit when different limits are hereinafter fixed for different highways."

Amend Section 1 (Section 1002), page 4, by striking out lines 3 and 4, and inserting in lieu thereof the following: "on highways having four or more lanes, or forty miles per hour on highways having less than four lanes."

Amend Section 1 (Section 1002), page 4, by striking out lines 6 to 12, inclusive.

Amend Section 2, page 4, line 13, by striking out at the end of the line after the word "effect" the following: "immediately" and inserting in lieu thereof the following: "January 1, 1956."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

Senate Bill No. 192 Printer's No. 246

was passed over at the request of the SPEAKER.

COMMITTEE MEETINGS

BANKING AND BUILDING AND LOAN ASSOCIATION, Mr. Olsen, Chairman, Room 330, Tuesday, September 20, at 12:00 noon.

EDUCATION, Mr. McCann, Chairman, Room 324, Tuesday, September 20, at 11:00 a. m.

JUDICIARY, Mr. Lopresti, Chairman, room 145, Tuesday, September 20, at 10:00 a. m.

MOTOR VEHICLES, Mr. Amarando, Chairman, Room 522, Tuesday, September 20, at 11:30 a. m.

The Legislative Service Club will not meet for breakfast on Tuesday morning.

All Times are Daylight Saving Time.

ADJOURNMENT

Mr. CIOFFI. Mr. Speaker, I move that this House do now adjourn until Tuesday, September 20, 1955 at 1:00 p. m. EST.

The motion was agreed to, and (at 5:18 p. m. EST.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., TUESDAY, SEPTEMBER 20, 1955. No. 90.

SENATE

TUESDAY, September 20, 1955.

The Senate met at 8:30 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. HOWARD S. FOX, D. D., Pastor of Trinity Evangelical Reformed Church, Gettysburg, offered the following prayer:

Let us pray.

Almighty God, the fountain of all goodness, we implore Thy blessing upon our Country, upon its government and upon its people.

May Thy Holy Spirit be with our rulers and all who are in authority. Grant that they may govern in Thy faith and fear, striving to put down all evil and to encourage and support all that is good.

Give Thy spirit of wisdom to those whose business it is to make laws for us. Grant that they may understand and feel how great a work Thou hast given them to do; that they may not do it lightly or foolishly, but gravely, soberly and with a Godly spirit, enacting always things just and things wise and things merciful, to the putting away of all wrong and oppression and to the advancement of the welfare of Thy people.

May we strive to keep ourselves pure and holy, and to bring down Thy blessing upon ourselves and all who belong to us.

We beseech Thee to grant this in the name and for the sake of Thy dear Son, Jesus Christ our Lord, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. WADE, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, September 19, 1955.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, September 26, 1955, at two-thirty o'clock, p. m., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Monday, September 26, 1955, at a time to be fixed by the House of Representatives.

SENATE BILL No. 514 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 514, entitled:

An Act amending the act of May 17, 1917 (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" further providing for the suspension and revocation of registration by the State Board of Pharmacy.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bill of the House, as follows:

House Bill No. 1687, entitled:

An Act amending the Act of April 9, 1929 (P. L. 177) entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of al deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards

and commissions shall be determined" creating the Advisory Board on Problems of Older Workers within the Department of Labor and Industry and placing additional powers and duties in the Department of Labor and Industry with respect to aging and aged persons.

Which was committed to the Committee on Education.

REPORTS FROM COMMITTEES

Mr. WADE, from the Committee on State Government, reported as amended, House Bill No. 794, entitled:

An Act amending the act of January 21, 1947 (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" changing the title of and compensation of certain Senate and House employes providing for the appointment of additional employes therein and making appropriations.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 156, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," providing for the payment of the cost of removal or change of public utility facilities of political subdivisions or municipality authorities in State highways.

He also, from the Committee on Highways, re-reported as amended, Senate Bill No. 528, entitled:

An Act authorizing and empowering the Delaware River Port Authority to finance construct erect acquire operate maintain and own a new toll bridge for vehicular traffic across the Delaware River between Philadelphia County Pennsylvania and Burlington County or Camden County New Jersey at a location to be selected by the said Delaware River Port Authority between a point or points within a three mile radius of the intersection of State Road and Levick Street in the City of Philadelphia Pennsylvania and a point or points within a three mile radius of the intersection of New Jersey State Route 73 Market Street and Temple Boulevard in the Borough of Palmyra County of Burlington New Jersey together with such approaches thereto and such highway connections as may be necessary or desirable and granting and defining and continuing certain powers of eminent domain and other functions powers duties and privileges all of said actions to be taken pursuant to and in accordance with this act and the Compact or Agreement and amendments or supplements thereto between New Jersey and Pennsylvania dated July 1, 1931, August 23, 1951 and August 30, 1951 and the consent by the Congress of the United States thereto.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 722, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of registration plates to newspaper, newsreel or television photographers.

BILL INTRODUCED AND REFERRED

Messrs. KESSLER and PROPERT read in place and presented to the Chair Senate Bill No. 759, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," limiting reimbursement for depreciation to school districts using their own vehicles in pupil transportation.

Which was committed to the Committee on Education.

Mr. PROPERT read in his place and presented to the Chair Senate Bill No. 760, entitled:

An Act making an appropriation to the Department of Property and Supplies for the further restoration, improvement and equipment of the Pottsgrove Mansion in the Borough of Pottstown.

Which was committed to the Committee on Appropriations.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

RECOMMENDING THE APPOINTMENT OF A FLOOD INSURANCE COMMITTEE BY THE INSURANCE COMMISSIONER OF THE COMMONWEALTH

Messrs. WEINER and DiSILVESTRO offered the following resolution, which was twice read as follows:

In the Senate, September 20, 1955.

The General Assembly of the Commonwealth of Pennsylvania expresses its deepest sympathy to all of the people in the Commonwealth who suffered the loss of lives and sustained millions of dollars worth of property damage in the recent flood disaster which struck many of our Eastern counties.

It is shocking and grieving to learn that the property loss and damage resulting from the flood must be borne directly by the flood stricken residents because of neglect and failure to develop a satisfactory comprehensive insurance plan to ameliorate the economic consequences of the flood disaster. Practically all areas of the Commonwealth have, at one time or another, suffered the ravages of extensive flood disasters and it is a problem common to a majority of our people.

The General Assembly of the Commonwealth of Pennsylvania regrets the neglect and failure of the insurance industry to formulate and develop, on its own initiative, a plan to permit persons whose property is subject to flood damage an opportunity to insure at reasonable rates against the losses. It is recognized that many substantial problems are involed and that they may be too great and complex for solution on any basis other than on a general public basis; therefore be it

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania recommend and instruct the Insurance Commissioner of the Commonwealth to appoint a Flood In-

surance Committee, composed of nine persons to investigate and study the problem of providing a suitable program for permitting persons to insure, at fair and reasonable rates, against flood and water damage. The composition of the Committee shall consist of three persons from the general public, three persons victimized in the flooded areas and three persons from the insurance industry. The Insurance Commissioner shall be an ex-officio member of the Committee. The Committee shall hold public hearings and meetings at various places and dates, shall investigate and collect facts and information, and do all things which the Insurance Department of the Commonwealth is presently authorized and empowered to do in the pursuit of the objetcives of the resolution; and be it further

Resolved, That upon completion of the hearings and meetings and the fomulation of the program, which shall be as soon as possible but under no circumstances later than March 31, 1956, the Committee shall report its findings and recommendations to the General Assembly of the Commonwealth of Pennsylvania, if it be in session, through the Insurance Commisisoner. If the General Assembly of the Commonwealth of Pennsylvania is not in session, the report shall be transmitted by the Insurance Commissioner to the Governor of the Commonwealth; and be it further

Resolved, That the General Assembly pledges that it will enact legislation appropriating the sum of $50,000 to the Committee to fulfill its duties set forth in the resolution; and be it further

Resolved, That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to use the embryonic fundamental plan as a basis for accomplishing, through legislation, if necessary, the adoption of a suitable and workable plan of flood insurance at reasonable rates to relieve persons from personally absorbing the economic consequences of flood disasters when they strike this Commonwealth and our neighboring states; and be it further

Resolved, That copies of the resolution be transmitted to the President of the United States, the Congress of the United States, Governor George M. Leader of the Commonwealth, to the Governors and the legislatures of all the other states of the Union, and the Insurance Commissioner of the Commonwealth, and that copies of the Committee's report, when completed, be transmitted as above.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. WEINER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, I object to the immediate consideration of this resolution, and ask that it be referred to the proper committee.

The PRESIDENT. The resolution is referred to the Committee on Insurance.

SENATE CONCURRENT RESOLUTION, SERIAL No. 148, REPORTED FROM COMMITTEE

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on Highways, to which was referred resolution offered by Mr. WATKINS on September 19, 1955, reported the same without amendment as follows:

REQUESTING THE DELAWARE RIVER PORT AUTHORITY TO GIVE CONSIDERATION TO THE NEED FOR A BRIDGE OVER THE DELAWARE RIVER AND TO MAKE A REPORT

In the Senate, September 19, 1955.

Bridges over the Delaware River present an ever increasing problem greatly augmented by the flow of traffic from the Pennsylvania and New Jersey turnpikes.

While the area north of and within the limits of the City of Philadelphia are being well provided for, the traffic normally bearing south of the city continues to be compelled to find a crossing through city traffic in Philadelphia or to travel further, below the City of Wilmington; therefore be it

Resolved (the House of Representatives concurring), That the Delaware River Port Authority be requested to give serious consideration to the urgent need for a bridge over the Delaware from a point in Delaware County, Pennsylvania to a point opposite in the State of New Jersey, and to that end to make an engineering survey and an exhaustive study of the traffic that could and normally would use the bridge, and to report in detail to the General Assembly at its 1957 session, the results of its survey and studies.

A motion was made by Mr. WADE and Mr. DiSILVESTRO,

That rule 39, which requires resolutions reported from committee to lie over for one day, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE BILL No. 728 TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table House Bill No. 728, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "Administrative Code of 1929," authorizing the lease or grant of real estate under the jurisdiction of the Department of Forests and Waters in the City of Philadelphia for the purpose of aiding the establishment of parking services and facilities within State Park Areas situate within the city.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. WEINER. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL NO. 728

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WATKINS, PROPERT and STIEFEL as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the difference existing between the two houses in relation to House Bill No. 728.

Ordered, That the Clerk inform the House of Representatives accordingly.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 486, as follows:

An Act relating to reciprocal agreements for the interstate transportation and support of the mentally ill

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Reciprocal Agreements The Department of Welfare subject to the approval of the Attorney General is hereby authorized to enter into reciprocal agreements with corresponding state agencies of other states regarding the interstate transportation or transfer of persons with mental illness or defect and to arrange with the proper officials in this State for the acceptance transfer and support of persons who are residents of this State but who are temporarily detained or who are receiving psychiatric or mental care in public institutions of other states in accordance with the terms of such agreements

Section 2 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact it

Section 3 Effective Date This act shall take effect immediately

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 699, Printer's No. 524, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 721, Printer's No. 251, on third reading, go over in its order

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 724, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the payment of money withheld from State appropriations to pay default in rent to a municipality authority or nonprofit corporation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred ninety of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the law relating thereto" as amended by the act approved the twenty-sixth day of August one thousand nine hundred fifty-three (P. L. 1471) is hereby further amended by adding immediately following subsection (6) a new subsection to read as follows

Section 790 Grants Conveyances Appropriations to Contracts with and Leases from Municipality Authorities Whenever the board of any municipality authority shall have undertaken a school project or projects for use by a school district individually or for use by two or more school districts jointly such school district or school districts shall have the power upon written approval of the Department of Public Instruction

* * * * * *

(7) In all cases where the board of directors of any school district fails to pay or to provide for the payment of any rental or rentals due any municipality authority or nonprofit corporation for any period in accordance with the terms of any lease entered into under the provisions of this section the State Superintendent of Public Instruction shall notify such board of school directors of its obligation and shall withhold out of any State appropriation due such school district an amount equal to the amount of rental or rentals owing by such school to the municipality authority or nonprofit corporation and shall pay over the amount so withheld to the municipality authority or nonprofit corporation in payment of the rental

* * *

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 973, as follows:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" providing certain sales of Salk polio vaccine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of June 24, 1939 (P. L. 872) known as "The Penal Code" is amended by adding after section 659 a new section to read

Section 659.1 Sale of Salk Polio Vaccine (a) Any person other than a licensed physician or pharmacist who offers for sale or sells or distributes any Salk polio vaccine at retail is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding one (1) year or both

(b) Any manufacturer who offers for sale sells or distributes and any person who offers for sale sells or distributes at wholesale or in wholesale quantities any Salk polio vaccine to any person other than the following (i) an agency of the United States government authorized by Federal Law to make purchases of vaccine (ii) the Department of Health of the Commowealth of Pennsylvania (iii) any political subdivision or (iv) any licensed physician or pharmacist shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceding five hundred dollars ($500) or to undergo imprisonment not exceeding one (1) year or both

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1522, as follows:

An Act amending the act of July 8, 1941 (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" changing the definition of "Average salary" the membership of the board and the options allowed upon retirement regulating the manner of paying money out of the Retirement Fund making provisions in certain cases retroactive for contributors who are qualified for but die before retirement and providing for voluntary retirement after twenty-five years service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Average salary" in section 2 and section 3 of the act of July 8, 1941 (P. L. 798) known as the "Fourth Class County Retirement Law," amended May 28, 1943 (P. L. 789) are amended to read

Section 2 Definitions The following words and phrases as used in this act shall be construed to have the following meanings

* * *

"Average salary" the average annual salary received by a contributor for the five highest years of service [immediately preceding retirement] in the employment of the county or in the event a member has not served five years the total salary received divided by the number of years served

* * *

Section 3 County Retirement System County Retirement Board The county commissioners are hereby authorized to establish a system for the retirement of county employes in each county of the fourth class which shall if established be administered by a county retirement board which shall consist of the county commissioners the county controller and the treasurer [the register-of-wills the clerk or clerks of the courts and the recorder of deeds] The chairman of the board of county commissioners shall be chairman of the board Each member of the board may designate a deputy or clerk to act on said board in his stead [Five] Three members of the board shall constitute a quorum

Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and he will not knowingly violate or permit to be violated any of the provisions of this act Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duties

The retirement system created by this act shall be established in each county as of the [date fixed by resolution of the county commissioners for such system to become effective] first Monday of January of the year succeeding the one in which the resolution of the county commissioners was adopted

Section 2 Section 7 of the act is amended to read

Section 7 Custody of and Payments from Fund All moneys and securities in the fund created by this act shall be placed in the custody of the county treasurer for safekeeping and all payments from said fund [on account of retirement allowances] shall be made only on requisition signed by the chairman and secretary of the board

Section 3 Section 13 of this act is amended to read

Section 13 Options on superannuation retirement at the time of his superannuation retirement Any beneficiary may elect to receive either his retirement allowance payable throughout life or [if such retirement allowance shall amount to less than ten dollars per month he may elect] to receive the full amount of the accumulated deductions standing to his individual credit in the member's annuity reserve account at the time of his voluntary or involuntary retirement or he may in any event elect to receive the actuarial equivalent of his member's and county annuity in a lesser retirement allowance payable throughout life with provisions that

Option one If he die before receiving in payments the present value of his member's annuity and county annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such per-

son having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Option two Upon his death his member's annuity and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option three Upon his death one-half of his member's and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Section 4 The act is amended by adding after section 13 three new sections to read

Section 13.1 Retirement as to Time of Death Any contributor who is entitled to retire under the provisions of this act by reason of having completed twenty-five (25) years of total service or by reason of having reached superannuation retirement age may file with the retirement board a written application for retirement in the form required for such application but requesting that such retirement shall become as of the time of his death electing one of the options provided in section 13 and nominating a beneficiary under said option as required in said section

In all such cases the application shall be held by the retirement board until the contributor shall file a later application in the usual manner for retirement or until the death of the contributor occurring while in county service at which time his retirement shall become effective with the same benefits to the designated beneficiary as if the contributor had retired on the day immediately preceding his death

Section 13.2 Retirement While in County Service Any contributor who is or was entitled to retire under the provisions of this act by reason of having completed twenty-five (25) years of total service or by reason of having reached superannuation retirement age and who shall die while in county service before filing with the retirement board a written application for retirement as heretofore provided or has died and whose payments into the fund have not been withdrawn shall be considered as having election Option 1 as provided in section 13 of this act as of the date of his or her death In such event payment under Option 1 shall be made to the beneficiary designated in the nomination of beneficiary form on file with the retirement board If said beneficiary has predeceased the contributor payment under Option 1 shall be made to the legal representive of said contributor

Section 13.3 When Effective The provisions of sections 13.1 and 13.2 shall apply to all contributors who become eligible for retirement before the first day of January one thousand nine hundred fifty-two and who have died since that date without having filed a written statement as required in the act Provided however That application for payment of benefits shall be made within six (6) months of the effective date of this act

Section 5 Section 14 of the act amended May 28, 1943 (P. L. 789) is amended to read

Section 14 Involuntary Retirement Allowances Voluntary Retirement Allowances After Twenty-five Years Service Should a contributor be discontinued from service not voluntarily or an elected county officer complete his term of office and discontinue service after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but before reaching superannuation retirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit in the members' annuity reserve account or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit in the member's annuity reserve account and in addition a county annuity having a value equal to the present value of a county annuity beginning at superannuation retirement age as provided in this act with respect to county annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary or voluntary retirement as provided herein in the case of superannuation retirement

And said bill having been read at length the third time and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1523, as follows:

An Act amending the act of August 5, 1941 (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" changing the definition of "Final Salary" the membership of the board and its method of accounting and making payments out of the retirement fund and the options allowed upon retirement authorizing the board to permit transfers to the one-eightieth (1/80) class of contribution and adjustment of county annuities allowing credit for prior service for certain per diem employes making provisions in certain cases retroactive for contributors who are qualified for but die before retirement authorizing the establishment of a minimum retirement allowance and providing for the reinstatement of contributors returning from military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Final Salary" in section 1 act of August 5, 1941 (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" reenacted and amended May 2, 1949 (P. L. 881) and amended May 23, 1949 (P. L. 1688) is amended to read

Section 1 The following words and phrases as used in this act unless a different meaning is plainly required by the context shall be construed to have the following meanings

* * *

"Final Salary" the average annual salary received by a contributor for the five highest years of service [immediately preceding retirement] in the employment of the county or in the event a member has not served five

years the total salary received divided by the number of years served

* * *

Section 2 Section 2 of the act amended May 10, 1951 (P. L. 233) is amended to read

Section 2 County Retirement System and County Retirement Board Created A retirement system may be established for county employes by resolution of the county commissioners in any county of the fifth sixth seventh and eighth class which system when established shall be administered by a county retirement board which shall consist of the [chairman of the board of] county commissioners [or his representative who shall be its chairman] the county controller [of his representative] if any if not then the chief clerk to the county commissioners [and one county employe to be selected from time to time by the county employes for a term of two years] and the county treasurer The chairman of the board of county commissioners shall be chairman of the board Each member of the board may designate a deputy or clerk to act in his stead Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and that he will not knowingly violate or permit to be violated any of the provisions of this act Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duty

[Two] Three members of the board shall constitute a quorum

The retirement system herein provided for shall be established on the first Monday of January of the year succeeding the one in which the resolution of the county commissioners was adopted

Section 3 Section 5 of the act reenacted and amended May 2, 1949 (P. L. 881) and amended May 17, 1949 (P. L. 1399) is amended to read

Section 5 County Employes' Retirement Fund There is hereby created in each county of the fifth sixth seventh and eighth class in which a retirement system has been established a county employes retirement fund which shall consist of all moneys arising from appropriations made by the county and from contributions made by the members of the county employes retirement system and all interest earned by the investments or moneys of the fund created by this act The moneys contributed by the county shall be credited to a county annuity reserve account and those contributed by the members shall be credited to a member's annuity reserve account [and the interest earnings shall be apportioned to the member's and county annuity reserve accounts] Upon the granting of a retirement allowance to any contributor whether as a superannuation retirement allowance an involuntary retirement allowance or a total disability retirement allowance as hereinafter provided the amount of such contributor's accumulated deductions in the members' annuity reserve account shall lose their status as accumulated contributions and shall be transferred to a retired members' reserve account and the actuarial equivalent of the county annuity shall be similarly transferred from the county annuity reserve account to the retired members' reserve account The interest earnings shall be apportioned to the members' annuity and county annuity and retired members' reserve accounts The actuary shall determine the present value of the liability on account of all county annuities payable to original members and the percentage of such liability which shall be contributed by the county each year over a period of fifteen years from the time the system is established until the accumulated reserve equals the present value of said liability All such contributions shall be credited to the county annuity reserve account The actuary shall also determine the amount which shall be contributed by the county into the fund periodically for credit to the county annuity reserve account on account of service of all new and original members subsequent to the time the retirement system is established

Each member of the retirement system shall be required to contribute to the fund such per centum of his salary as shall be computed by the actuary to be sufficient with regular interest to procure for him on superannuation retirement one one-hundred-twentieth (1/120) of his final salary for each year of service after December thirty-first preceding the year the retirement system is established which contributions shall be paid into the fund through payroll deductions in such manner as the board may require All contributions by members shall be credited to the member's annuity reserve account

The board may at any time by rule authorize members of the retirement system whether original or new members to transfer from the one one-hundred-twentieth (1/120) or one one-hundredth (1/100) class to the [one one-hundredth (1/100)] one-eightieth (1/80) class and whenever such transfer shall be authorized salary deductions applicable to such transferred members shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-twentieth (1/120) class or one one-hundredth (1/100) class as the case may be

Section 4 Sections 6 and 10 of the act reenacted and amended May 2, 1949 (P. L. 881) are amended to read

Section 6 Custody of and payments from fund all moneys and securities in the fund created by this act shall be placed in the custody of the county treasurer for safekeeping and all payments from said fund [on account of retirement allowances] shall be made only on requisition signed by the chairman and secretary of the board

Section 10 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be give to each original member for each year of service rendered to the county prior to January first of the year the retirement system was established This shall include the service of a county official whose compensation was in the form of fees collected by his office and shall also include the services of employes paid directly by such county official out of such fees Full credit shall also be given for each year of service of a contributor who was a per diem employe of the county for a period of at least five years prior to the time the system became effective and who averaged at least two hundred days of employment in each of those years As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first of the year the retirement system was established Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the member The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the county commissioners and approved by the board

Section 5 Section 11 of the act reenacted and amended May 2, 1949 (P. L. 881) and amended May 17, 1949 (P. L. 1399) is amended to read

Section 11 Superannuation Retirement Allowance Any contributor who has reached superannuation retirement age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the member's annuity reserve account and (b) a county annuity equal to one-hundred-twentieth (1/120) of his final salary multiplied by each year of total service and in addition thereto in the case of an original member one one-hundred-twentieth (1/120) of his final salary multiplied by each year of prior service but the total county annuity shall never exceed fifty per centum of the final salary

Whenever the board [shall] has by rule [authorize] authorized the members of the retirement system to transfer from the one one-hundred-twentieth (1/120) class to the one one-hundred (1/100) class or whenever the board shall hereafter by rule authorize the transfer to the one-eightieth (1/80) class the county annuity shall be calculated as follows

(a) For service prior to the time of transfer at the one one-hundred-twentieth (1/120) rate or the one one-hundredth (1/100) rate as the case may be

(b) For service subsequent to the date of transfer to the date of retirement or to the time of a subsequent transfer at the [(1/100)] rate applicable during such period

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundred-twentieth (1/120) rate bears to the total time of contribution and as the time he contributed at [the one one-hundredth (1/100) rate] any other rate herein provided for bears to the total time of contribution

Section 6 Section 12 of the act reenacted and amended May 2, 1949 (P. L. 881) and amended May 10, 1951 (P. L. 233) is amended to read

Section 12 Options on superannuation retirement at the time of his superannuation retirement any beneficiary may elect to receive either his retirement allowance payable throughout life or [if such retirement allowance shall amount to less than ten dollars per month he may elect] to receive the full amount of the accumulated deductions standing to his individual credit in the member's annuity reserve account at the time of his voluntary or involuntary retirement or he may in any event elect to receive the actuarial equivalent of his member's and county annuity in a lesser retirement allowance payable throughout life with provisions that

Option one if he die before receiving in payments the present value of his member's annuity and county annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement or at any time thereafter

Option two upon his death his member's annuity and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option three upon his death one-half of his member's and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Section 7 The act reenacted and amended May 2, 1949 (P. L. 881) is amended by adding after section 13 three new sections to read

Section 13.1 Retirement as of Time of Death Any contributor who is entitled to retire under the provisions of this act by reason of having completed twenty-five (25) years of total service or by reason of having reached superannuation retirement age may file with the retirement board a written application for retirement in the form required for such application but requesting that such retirement shall become effective as of the time of his death electing one of the options provided in section 12 and nominating a beneficiary under said option as required in said section

In all such cases the application shall be held by the retirement board until the contributor shall file a later application in the usual manner for retirement or until the death of the contributor occurring while in county service at which time his retirement shall become effective with the same benefits to the designated beneficiary as if the contributor had retired on the day immediately preceding his death

Section 13.2 Retirement While in County Service Any contributor who is or was entitled to retire under the provisions of this act by reason of having completed twenty-five (25) years of total service or by reason of having reached superannuation retirement age and who shall die while in county service before filing with the retirement board a written application for retirement as heretofore provided or has died and whose payments into the fund have not been withdrawn shall be considered as having elected Option 1 as provided in section 12 of this act as of the date of his or her death In such event payment under Option 1 shall be made to the beneficiary designated in the nomination of beneficiary form on file with the retirement board If said beneficiary has predeceased the contributor payment under Option 1 shall be made to the legal representative of said contributor

Section 13.3 When Effective The provisions of sections 13.1 and 13.2 shall apply to all contributors who became eligible for retirement before the first day of January one thousand nine hundred fifty-two and who have died since that date without having filed a written statement as required in the act Provided however That application for payment of benefits shall be made within six (6) months of the effective date of this act

Section 8 The act reenacted and amended May 2, 1949 (P. L. 881) is amended by adding after section 14 a new section to read

Section 14.1 Optional Minimum Allowances At any time the board by rule may by increasing the county annuity authorize the payment of a minimum annual retirement allowance of twelve hundred dollars payable monthly in the amount of one hundred dollars to every beneficiary who shall thereafter retire for superannuation after twenty years' service as a county employe but no county annuity shall in any case exceed fifty per centum of the average salary.

Section 9 The act reenacted and amended May 2, 1949 (P. L. 881) is amended by adding after section 17.3 a new section to read

Section 17.4 Reinstatement on Return from Military Service Any contributor who entered into active military service shall upon return to county employment be permitted to pay into the retirement fund an amount which shall be equal to the salary deductions multiplied by the number of months during which he was absent from county employment in active military service either in a lump sum or by installments but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age A contributor who complies with the foregoing provisions of this section shall be entitled to all the benefits to which he may have been entitled as fully as though such county employe had continued in county employment during the period of such active military service

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1524, as follows:

An Act amending the act of June 4, 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties' changing the definition of "final salary" the membership of the board the manner of paying money out of the retirement fund and the options allowed upon retirement authorizing the board to permit transfers to the one-eightieth (1/80) class of contributors and adjusting the county annuities allowing employes credit in certain cases for prior service making provisions in certain cases retroactive for contributors who are qualified for but die before retirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Final Salary" in section 1 act of June 4, 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" amended December 22, 1951 (P. L. 1723) is amended to read

Section 1 Be it enacted &c That the following words and phrases as used in this act shall be construed to have the following meanings

* * *

"Final Salary" the [highest] average annual salary received by contributor for [any five consecutive] the five highest years of service [preceding retirement] in the employment of the county or in the event a member has not served five years the total salary received divided by the number of years served

* * *

Section 2 Section 2 of the act amended August 5, 1941 (P. L. 840) is amended to read

Section 2 County Retirement System and County Retirement Board Created A retirement system may be established for county employes by resolution of the county commissioners in any county of the third class which system when established shall be administered by a county retirement board which shall consist of the [chairman of the board of] county commissioners [or his representative who shall be its chairman] the county controller [or his representative and one county employe to be selected from time to time by the county employes for a term of two years] and the county treasurer The chairman of the board of county commissioners shall be chairman of the board Each member of the board may designate a deputy or clerk to act in his stead Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and that he will not knowingly violate or permit to be violated any of the provisions of this act Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duty

[Two] Three members of the board shall constitute a quorum

The retirement system herein provided for shall be established on the first Monday of January of the year succeeding the one in which the resolution of the county commissioners was adopted

Section 3 The last paragraph of section 5 of the act added December 22, 1951 (P. L. 1723) is amended to read

Section 5 County Employes' Retirement Fund

* * *

The board may at any time by rule authorize members of the retirement system whether original or new members to transfer from the one one-hundredth-twentieth (1-120) class [to] or from the one one-hundredth (1-100) class to the one-eightieth (1-80) class and whenever such transfer shall be authorized salary deductions applicable to such transferred members shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-twentieth (1-120) class or the one one-hundredth (1-100) class as the case may be

Section 4 Section 6 of the act is amended to read

Section 6 Custody of and payments from fund All moneys and securities in the fund created by this act shall be placed in the custody of the county treasurer for safekeeping and all payments from said fund [on account of retirement allowances] shall be made only on requisition signed by the chairman and secretary of the board

Section 5 Section 8 of the act amended May 27, 1943 (P. L. 749) is amended to read

Section 8 Compulsory Membership Each county officer may and each county employe shall be required to become a member of the retirement system established by this act at such date as may be specified in the resolution establishing the retirement system and thereafter when first becoming a county employe Those becoming members who have been at any time county employes prior to the first Monday of January of the year the retirement system is established shall be known as original members and those becoming members after said date as new members Any person who becomes a county employe subsequent to the time the system was established and who had been an employe of the county at any time therefore shall receive credit for the service prior to the time the system was established and be known as an original member if said employe shall contribute to the fund the amount which he would have contributed if the retirement system had been in effect during such previous employment in which event the county shall contribute for each employe the amount which it would have contributed if the retirement system had been in effect during such previous employment

Section 6 Section 11 of the act amended December 22, 1951 (P. L. 1723) is amended to read

Section 11 Superannuation Retirement Allowance Any contributor who has reached superannuation retirement age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the members' annuity reserve account and (b) a county annuity equal to one one-hundred-twentieth (1-120) of his final salary multiplied by each year of total service and in addition thereto in the case of an original member one one-hundred-twentieth (1-120) of his final salary multiplied by each year of prior service At any time the board by rule may by increasing the county annuity authorize the payment of a minimum retirement allowance of one hundred dollars ($100) per month to every beneficiary who has retired for superannuation after twenty (20) years service but the total county annuity shall never exceed fifty per centum of the final salary

Whenever the board [shall] has by rule [authorize] authorized the members of the retirement system to transfer from the one one-hundred-twentieth (1-120) class to the one one-hundredth (1-100) class or whenever the board shall hereafter by rule authorize the transfer to the one-eightieth (1-80) class the county annuity shall be calculated as follows

(a) For service prior to the time of transfer at the one one-hundred-twentieth (1-120) rate or the one one-hundredth (1-100) rate as the case may be

(b) For service subsequent to the time of transfer to the time of retirement or to the time of a subsequent transfer at the [one one-hundredth (1-100)] rate applicable during such period

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundred-twentieth (1-120) rate bears to the total time of contribution and as the time he contributed at [the one one-hundredth (1-100) rate] any other rate herein provided for bears to the total time of contribution

Section 7 Section 12 of the act amended May 20, 1949 (P. L. 1560) is amended to read

Section 12 Options on superannuation retirement at the time of his superannuation retirement Any beneficiary may elect to receive either his retirement allowance payable throughout life or [if such retirement allowance shall amount to less than ten dollars per month he may elect] to receive the full amount of the accumulated deductions standing to his individual credit in the member's annuity reserve account at the time of his voluntary or involuntary retirement or he may in any event elect to receive the actuarial equivalent of his member's and county annuity in a lesser retirement allowance payable throughout life with provisions that

Option one If he die before receiving in payments the present value of his member's annuity and county annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement or at any time thereafter

Option two Upon his death his member's annuity and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option three Upon his death one-half of his member's and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Section 8 The act is amended by adding after section 13 three new sections to read

Section 13.1 Retirement as of Time of Death Any contributor who is entitled to retire under the provisions of this act by reason of having completed twenty-five (25) years of total service or by reason of having reached superannuation retirement age may file with the retirement board a written application for retirement in the form required for such application but requesting that such retirement shall become effective as of the time of his death electing one of the options provided in section 12 and nominating a beneficiary under said option as required in said section

In all such cases the application shall be held by the retirement board until the contributor shall file a later application in the usual manner for retirement or until the death of the contributor occurring while in county service at which time his retirement shall become effective with the same benefits to the designated beneficiary as if the contributor had retired on the day immediately preceding his death

Section 13.2 Retirement While in County Service Any contributor who is or was entitled to retire under the provisions of this act by reason of having completed twenty-five (25) years of total service or by reason of having reached superannuation retirement age and who shall die while in county service before filing with the retirement board a written application for retirement as heretofore provided or has died and whose payments into the fund have not been withdrawn shall be considered as having elected Option 1 as provided in section 12 of this act as of the date of his or her death In such event payment under Option 1 shall be made to the beneficiary designated in the nomination of beneficiary form on file with the retirement board If said beneficiary has predeceased the contributor payment under Option 1 shall be made to the legal representative of said contributor

Section 13.3 When Effective The provisions of sections 13.1 and 13.2 shall apply to all contributors who became eligible for retirement before the first day of January one thousand nine hundred fifty-two and who have died since that date without having filed a written statement as required in the act Provided however That application for payment of benefits shall be made within six (6) months of the effective date of this act

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. Prsident, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 162, Printer's No. 90;
Senate Bill No. 165, Printer's No. 253;
Senate Bill No. 215, Printer's No. 243;
House Bill No. 340, Printer's No. 859;
House Bill No. 620, Printer's No. 963;
Senate Bill No. 648, Printer's No. 225;
Senate Bill No. 649, Printer's No. 226; and
Senate Bill No. 652, Printer's No. 250.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 705, entitled:

An Act providing for the payment of certain outstanding checks more than seven years old and making appropriations therefor

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Section 1, page 1, line 5, by striking out the year 1944 after May 24 and inserting in lieu thereof: "1943."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Section 2, page 2, line 6, by striking out the year 1944 after May 24 and inserting in lieu thereof: "1943."

It was agreed to.

The section was agreed to as amended.

The third, fourth, fifth and sixth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1003, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeiture fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for a limited period to certain nonresidents

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1435, Printer's No. 399, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1553, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-five and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1637, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of annual rates rentals and other charges to the General State Authority.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Section 1, page 1, line 1, by striking out twenty-three million dollars ($23,000,000) and inserting in lieu thereof: "twenty-five million five hundred thousand dollars ($25,500,000)."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1652, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President and gentlemen of the Senate, in this day and age when we are groping for sources of taxation, there is one source which has been overlooked here in Pennsylvania. As a matter of fact, that source has yielded in twenty-two States and the District of Columbia tremendous returns.

Today, when a person dies in Pennsylvania, the contents of a safe deposit box may be euchred out and taken away without any knowledge on the part of the Department of Revenue, and without any possibility of tracing later the amount which has been removed from the safe deposit box of the deceased. Thus, considerable amounts in inheritance tax are escaping the coffers of the State.

Mr. President, this bill which I am about to introduce, on behalf of Senator Lane and myself, will cure the situation. A similar bill with imperfections had been introduced earlier in the Session and was referred to the Committee on Banking. However, this is an up-to-date bill, based on research and it is the final word. If I may respectfully suggest, Mr. President, I think that the place for this bill is in the Committee on Finance.

BILL INTRODUCED AND REFERRED

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. STIEFEL and LANE read in place and presented to the Chair Senate Bill No. 761, entitled:

An Act amending the act of June 20, 1919 (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such rights exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," regulating the receiving or holding of decedents' securities and other personal property for safekeeping; regulating leasing of safe deposit boxes and similar receptacles.

Which was committeed to the Committee on Judiciary General.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 156, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," providing for the payment of the cost of removal or change of public utility facilities of political subdivisions or municipality authorities in State highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 722, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of registration plates to newspaper, newsreel or television photographers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 794, entitled:

An act amending the act of January 21, 1947 (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment, term of office or of service removal and manner of filling vacancies and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau," changing the title of and compensation of certain Senate and House employes providing for the appointment of additional employes therein and making appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealh, which was read as follows:

APPROVED AND SIGNED SENATE BILL NO. 322, PRINTER'S NO. 227

COMMONWEALTH OF PENNSYLVANIA

Governor's Office, Harrisburg, September 19, 1955

To the Honorable, the Senate
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed Senate Bill No. 322, Printer's No. 227, entitled "An Act amending the act of May 1, 1929

(P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the dispositions of fines forfeitures fees and miscellaeous receipts making an appropriation and providing for refunds' including the Civil Air Patrol among the organizations exempt from payment of fees for vehicles used by such organization and prescribing penalties."

GEORGE M. LEADER.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, September 26, 1955, at 2:30 o'clock p. m., Eastern Standard Time.

Mr. SCHMIDT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 9:30 o'clock, a m., Eastern Standard Time, until Monday, September 26, 1955, at 2:30 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, September 20, 1955.

The House met at 1:00 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The chaplain, Reverend Harold J. Crouse, Pastor of Trinity Lutheran Church, York, offered the following prayer:

Almighty God, Who does govern all things in earth and heaven, look with Divine favor upon this Assembly. Whatever good is done for the liberty and welfare of the people of this Commonwealth own, further and prosper with Thy blessing. If aught be done that will hinder and retard the liberties of men overrule it by Thy Almighty Hand.

Hear O Lord our supplication for the Speaker of this Assembly and all his loved ones; for each Representative and his family and children; for each employee and his beloved ones. Grant all health, strength and peace. In Jesus' Name, we pray it. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, September 19, 1955, will be postponed until printed. The Chair hears none.

BILL INTRODUCED AND REFERRED

By Mr. LOPRESTI. HOUSE BILL No. 1801.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every state depository and every debtor or creditor of the Commonwealth," by defining the term "predecessor in title."

Referred to the Committee on Judiciary.

By Mr. CHARLES C. SMITH and READINGER. HOUSE BILL No. 1802.

An Act relating to public works contracts; providing for prevailing wages; imposing duties upon the Secretary of Labor and Industry; providing penalties; and repealing existing laws.

Referred to the Committee on Labor Relations.

By Messrs. MULDOWNEY and FRASCELLA. HOUSE BILL No. 1803.

An Act providing for the conducting of and legalizing daily lotteries and pools for profit by the State; creating a State Lottery Commission; providing for the use of the proceeds for veterans' compensation and making appropriations.

Referred to the Committee on Rules.

By Messrs. STONE, TOLL and RUBIN. HOUSE BILL No. 1804.

An Act authorizing photostating, photographing, microphotographing, microfilming or other mechanical processing of court records on file ten years or more and the destuction or other disposition of the originals and of records on file twenty-five years or more without reproduction; making such copies and copies thereof admissible in evidence; and providing for sale of copies and the transfer of custody of certain originals.

Referred to the Committee on Judiciary.

By Mr. LIMPER. HOUSE BILL No. 1805.

An Act relating to contracts providing for the arbitration of labor-management controversies; regulating the procedure under such contracts; and conferring certain powers and imposing certain duties upon the courts with reference thereto.

Referred to the Committee on Labor Relations.

By Mr. ANDREWS. HOUSE BILL No. 1806.

An Act imposing a State excise tax upon the Federal Income Tax liability of natural persons who are residents of the Commonwealth; providing for the settlement and collection of the tax; imposing duties on certain individuals; conferring powers and imposing duties upon the Department of Revenue; and prescribing penalties.

Referred to the Committee on Ways and Means.

COMPLIANCE WITH PENNSYLVANIA LOYALTY ACT

The SPEAKER announced the acknowledgement of copies of report to the Governor of the Commonwealth filed in compliance with Section 13 of the Pennsylvania Loyalty Act of December 22, 1951 (P. L. 1726), on behalf of the following institutions:

Martha R. Speer, Superintendent
Columbia Hospital, Pittsburgh 21, Pa.

C. R. Youngquist, Administrator
Sharon General Hospital, Sharon, Pa.

Garert P. Snyder, Administrator
York Hospital, York, Pa.

G. F. Stephens, Administrator
The George F. Geisinger Memorial Hospital
The Foss Clinic, Danville, Pa.

Edna W. Scott, R. N.,
Director of Nurses
The Bryn Mawr Hospital, Bryn Mawr, Pa.

C. R. Cook, Superintendent
Washington Hospital, Washington, Pa.

Alma M. Troxell, Superintendent
Oil City Hospital, Oil City, Pa.

Edwin H. Prescott, Administrator
Pottstown Hospital, Pottstown, Pa.

Sister M. Felicitas, Administrator
Braddock General Hospital, Braddock, Pa.

Sister M. St. Robert, Administrator
Saint Joseph's Hospital, Reading, Pa.

J. Ebert Butterworth, President
Board of Managers
Episcopal Hospital, Philadelphia 25, Pa.

W. A. Hacker, Administrator
McKeesport Hospital, McKeesport, Pa.

Nellie Hoffecker, R. N.
Superintendent
Grand View Hospital, Sellersville, Pa.

Sister Anna Marie, Administrator
St. Vincent's Hospital, Erie, Pa.

H. J. Rodgers, Superintendent
Memorial Hospital, Philadelphia, Pa.

Maj. Gen. J. M. Willis, M. D.,
Director
Hamot Hospital, Erie, Pa.

Thompson D. McCrossin, Superintendent
The Presbyterian Hospital, Pittsburgh 13, Pa.

Mr. Harold T. Prentzel
Montgomery Hospital
Norristown, Pa.

Dr. Dora Ruland, Administrator
The Woman's Hospital of Philadelphia
Philadelphia 4, Pa.

R. W. Gloman, Administrator
Wilkes-Barre General Hospital
Wilkes-Barre, Pa.

E. Reid Caddy, Administrator
Westmoreland Hospital Association
Greensburg, Pa.

Orlando M. Bowen, Superintendent
The Allentown Hospital Association
Allentown, Pa.

Herbert M. Krauss, Administrator
Latrobe Hospital
Latrobe, Pa.

Dr. Donald C. Smelzer, Ex. Director
Lancaster General Hospital
Lancaster, Pa.

Thomas B. Fitzpatrick, Administrator
Citizens General Hospital
New Kensington, Pa.

J. L. MacFarland, Administrator
The Harrisburg Polyclinic Hospital
Harrisburg, Pa.

Ralph L. Outten, Administrator
The South Side Hospital
Pittsburgh 3, Pa.

A. C. Seawell, Administrator
Butler County Memorial Hospital
Butler, Pa.

Dr. W. T. Sherman Thorndike
Managing Director
The Germantown Dispensary and Hospital
Philadelphia 44, Pa.

Helen V. Barton, Administrator
Coatesville Hospital
Coatesville, Pa.

W. S. Kohlhaas, Superintendent
Harrisburg Hospital
Harrisburg, Pa.

Paul E. Loubris, Administrator
Clearfield Hospital
Clearfield, Pa.

John W. Bishop, Administrator
The Frankford Hospital
Philadelphia 24, Pa.

Benjamin Badman, Jr., Administrator
Wyoming Valley Hospital
Wilkes-Barre, Pa.

Joseph W. Bishop, Administrator
Hahenemann Hospital
Scranton 10, Pa.

Dr. Asa M. Lehman, Administrator
Northeastern Hospital of Phila.
Philadelphia, Pa.

Sidney M. Bergman, Ex. Director
Montefiore Hospital
Pittsburgh 13, Pa.

J. F. Friedheim, Director
Jameson Memorial Hospital
New Castle, Pa.

Adeline W. Hawxhurst, Superintendent
Indiana Hospital
Indiana, Pa.

Mr. Joseph A. Tritschler, Secretary
Providence Hospital
Beaver Falls, Pa.

J. H. N. Waring, Jr., Principal
Downingtown Industrial and Agri. School
Downingtown, Pa.

Mr. James Work
National Agricultural College
Farm School, Pa.

Doctor Gaylord P. Harnwell, President
University of Pennsylvania
Philadelphia 4, Pa.

E. Augusta Lamberger, Administrator
Homestead Hospital
Homestead, Pa.

Mr. Harold R. Rice, Dean
Moore Institute of Art
Philadelphia 21, Pa.

E. Atwood Jacobs, Administrator
The Reading Hospital
Reading, Pa.

H. Robert Cathcart, Administrator
Pennsylvania Hospital
Philadelphia 7, Pa.

Samuel H. Daroff, President
Albert Einstein Medical Center
Philadelphia 41, Pa.

Hon. Milton S. Eisenhower, President
The Pennsylvania State University
State College, Pa.

Bertrand W. Hayward, President
Philadelphia Textile Institute
Philadelphia 44, Pa.

Mother Margaret Mary, Superintendent
Ohio Valley General Hospital
McKees Rocks, Pa.

Esther J. Tinsley, Superintendent
Pittston Hospital
Pittston, Pa.

Mr. E. M. Benson, Dean
Philadelphia Museum School of Art
Philadelphia 2, Pa.

Hon. J. L. Kauffman, President
The Jefferson Medical College and Medical Center
Philadelphia 7, Pa.

John H. McCormick, President
Board of Managers
The Williamsport Hospital
Williamsport, Pa.

SENATE MESSAGE

The SPEAKER. It had been the intention of the Chair to take the floor today and ask permission to address the House. The Chair instead, if there are no objections, will offer his remarks for the record. The Chair hears no objection.

As every Legislator knows, and as many business leaders are beginning to suspect, Pennsylvania needs—has long needed—a stabilized, simplified and equitable tax structure.

The biennial wrangles staged by political leaders, tax-shifters and tax-dodgers have become a political abomination.

As a result of the over emphasis placed upon the desire to secure political advantage by means of tax structure manipulation, it has come about that the philosophy most emphasized in our recurring biennium tax wrangles is a philosophy of expediency.

There are certain basic facts and factors that should, I believe, guide tax structure architects. There is a place in a tax structure for a corporate net income levy—a levy based on a rate that recognizes both economic and competitive conditions.

There is, I believe, a place in a tax structure for excise taxes, such as the cigarette tax, taxes levied on beer and hard liquor.

There is also a place in an equitable tax structure, in my opinion, for a graduated income tax which, as nearly as is humanly possible, equalizes the tax burden on the basis of individual income.

If these three types of taxes were in effect there would be a place in the tax structure for a general sales tax to be used as an equalizing factor,—employed for two specific purposes

First: if it came about, as a result of general economic conditions, that during a biennium revenues fell well below estimates, it would be sound policy—instead of increasing levies on business—to use the sales tax for the purpose of liquidating the deficiences in estimated revenue.

Second: a sales tax could properly be used for the purpose of defraying expenses incurred outside the regular governmental routine—expenses such as disaster relief, or possible bonus payments.

There are some taxes now being collected which never should have been imposed; the capital stock tax is a tax which falls in this category. It is absurd to tax a corporation simply by reason of the fact that it exists—a corporation which may be operating in the red.

Obviously, if we were to repeal the capital stock tax, if we are to place proper meets and bounds upon the corporate net income levy, if we are to keep the tax on utilities within reasonable limits, there is a definite need for the development of an additional source of revenue. It is for this reason that I have introduced a bill designed to impose an excise tax based upon the income tax paid to the federal government.

This bill is based upon suggestions made by Senator Dent. It has long been his idea that a graduated income tax imposed as an excise tax is constitutional.

The measure, in its present form, carries some technical imperfections. It was hurriedly drawn and must be re-drafted in part. The bill is admittedly controversial. Eminent legal opinion runs to the effect that it is unconstitutional, and there is equally eminent legal opinion that the measure is constitutional.

The constitutionality of such a bill is a matter which should not be summarily disposed of either by past or present Attorney Generals.

The question as to the constitutionality of the measure is one to be decided by the Supreme Court, and by the Supreme Court alone.

If the bill should be passed and the Court ruled it was unconstitutional, nothing would be lost that we now possess. On the other hand, if the Court should decide the bill was constitutional, it would be possible to use a graduated income tax for the purpose of equalizing and stabilizing the Commonwealth's tax structure.

The pending tax melee has reached a stage where it approximates a particular type of objectionable political debauchery. The situation does not reflect credit upon those responsible for it, or upon many of those who comment concerning it.

Experienced observers representing the press know, as a matter of fact, that those who most bitterly oppose the practices and policies of the present administration say to each other: "We have got Leader on the hook, let's keep him there."

Will the tax bill which I am sponsoring weather the storm? I do not know. But of this I am certain—it will be opposed by all those individuals and groups which have their faces set against the imposition of any tax which even resembles a graduated income tax.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-

concurred in by the House of Representatives, to House Bill No. 728, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistant and employes of certain departments boards and commissions shall be determined" authorizing the lease or grant of real estate under the jurisdiction of the Department of Forests and Waters in the City of Philadelphia for the purpose of aiding the establishment of parking services and ficilities within State Park Areas situate within the city.

And has appointed Messrs. Watkins, Propert and Stiefel and a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 973.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting certain sales of Salk polio vaccine.

With the information that the Senate has passed the same without amendment.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 455, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," eliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by an Authority.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

APPROPRIATION BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1799, entitled

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1800, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five.

The first, second and third sections were separately read and agreed to.

Mr. POLEN offered the following amendment:

Amend Bill, page 3, by inserting after line 3

Section 4 The amount of money expended out of the appropriation made hereby shall be deducted from the general biennial appropriation to the Department of Public Assistance.

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair notes the presence in the House today of a former Member, Edgar Schrope of Schuylkill County, a Democratic Member, who served this House for many years.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 154, entitled:

An Act amending the act of May two one thousand nine hundred twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the closing of court houses and other county offices on Saturdays.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1781, entitled:

An Act amending the act of July 23 1953 (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws

relating thereto" enabling county commissioners to establish by resolution the requirements of responsible bidders for county printing

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendment:

Amend Section 1 (Section 2002), page 2, line 7, by striking out after the word "by" and before the word "all" the following: any or

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

APPROPRIATION BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 1650, as follows:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania to the Huntingdon Volunteer Fire Company and to the Cresson Voluntary Fire Company of Cresson Pennsylvania and making an appropriation to the Hollidaysburg Volunteer Fire Company and the Duncansville Volunteer Fire Company for the protection of State property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars ($5,000) or as much thereof as may be necessary is hereby specifically appropriated for the several fire companies of the City of Harrisburg Pennsylvania as compensation for protection from and extinguishment of any fire or fires that may occur in or on the Capitol buildings or grounds for the two fiscal years beginning June first one thousand nine hundred fifty-five Said sum to be distributed among said companies in equal amounts

Section 2 The sum of one thousand dollars ($1,000) is hereby specifically appropriated to the Cresson Volunteer Fire Company of Cresson Pennsylvania for the two fiscal years beginning June 1 1955

Section 3 The sum of one thousand dollars ($1,000) is hereby specifically appropriated to the Hollidaysburg Volunteer Fire Company and the Duncansville Volunteer Fire Company for the two fiscal years beginning June 1 1955 for the protection of the Hollidaysburg State Hospital the State Police barracks and district office Number 9 and maintenance building of the State Department of Highways in Blair county

Such sum shall be distributed between the companies in an equal amount

Section 4 The sum of one hundred fifty dollars ($150) is hereby specifically appropriated to the Huntingdon Volunteer Fire Company for the two fiscal years beginning June 1 1955 for the protection of State property at Huntingdon Pennsylvania

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Garlock,	Mahan,	Rudisill,
Agnew,	Gelfand,	Markley,	Sarraf,
Amarando,	George,	Maxwell,	Scarcelli,
Anderson, M. S.,	Gibb,	McCann,	Schuster,
Anderson, S. A.,	Gibson,	McCormack,	Sherman,
Ashton,	Goldstein,	McGee,	Sigman,
Auker,	Gramlich,	McInroy,	Smith, C. C.,
Banker,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Barnatovich,	Guthrie,	McWherter,	Snider,
Bazin,	Hamilton, R. K.,	Meholchick,	Spencer,
Bell,	Hamilton, W. H.,	Metz,	Stank,
Blair,	Hass,	Mihm,	Stebbins,
Boies,	Haudenshield,	Mikula,	Steckel,
Bonner,	Heavey,	Miller,	Stephens,
Boory,	Helm,	Mills,	Stevenson,
Bower,	Henzel,	Monroe,	Stone,
Branca,	Hewitt,	Moody,	Stoner,
Breisch,	Hocker,	Moran,	Strausser,
Brennan, A. P.,	Holt,	Muldowney,	Stroup,
Brennan, J. J.,	Horst,	Mullen,	Swartz,
Brenninger,	Houk,	Munley,	Taylor,
Breth,	Isaacs,	Murphy,	Thomas,
Brown,	Jenkins,	Murray, H. P.,	Thompson,
Bucchin,	Johnson,	Murray, J. J.,	Toli,
Bullen,	Jones, G. E.,	Murray, P. G.,	Tompkins,
Capano,	Jones, T. H. W.,	Musto,	Toomey,
Cianfrani,	Jump,	Naugle,	Varallo,
Cioffi,	Kamyk,	Needham,	Varner,
Comer,	Kehler,	Ogilvie,	Vaughan,
Connelly,	Kent,	Olsen,	Verona,
Cooper,	Kline,	O'Neil,	Wall,
Curwood,	Knecht,	Pacchioli,	Wallace,
Davis,	Kolankiewicz,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Down,	Kubacki	Pettigrew,	Welsh,
Ehrgood,	Lafore,	Polaski,	Wescott,
Eilberg,	Lawyer,	Polen,	Wheeler,
Erb,	Leiby,	Pomeroy,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Filo,	Light,	Reidenbach,	Wood,
Flint,	Limper,	Renwick,	Worley,
Floyd,	Lippincott,	Rigby,	Yetzer,
Flynn,	Lopresti,	Rosen,	Young,
Foster,	Lovett,	Rovansek,	Ziegler,
Frascella,	Lutty,	Royer,	Andrews,
Gaffney,	Magee,	Rubin,	Speaker

NAYS—1

Reibman,

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 375,Printer's No. 912,
House Bill No. 554, Printer's No. 920,
House Bill No. 555, Printer's No. 921,
House Bill No. 824, Printer's No. 922, and
House Bill No. 1060, Printer's No. 967.

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1390 as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania excluding income taxes and taxes upon the transfer of property from a decedent from requirement of uniformity and limitig the rate and use of proceeds of income taxes.

On the question,

Will the House agree to the bill on third reading?

Mr. LOVETT. Mr. Speaker, I would like to know from the Minority Floor Leader and the Majority Floor Leader, whether this bill is controversial.

The SPEAKER. House Bill No. 1390, Printer's No. 923, does the gentleman from Westmoreland desire to interrogate either one or both of the floor leaders?

Mr. LOVETT. I would first like to interrogate the Minority Floor Leader, Mr. Charles C. Smith.

The SPEAKER. Will the Minority Floor Leader permit himself to be interrogated?

Mr. CHARLES C. SMITH. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would like to ask the gentleman if he feels that this bill is controversial or not?

Mr. CHARLES C. SMITH. Mr. Speaker, not being in our Republican Caucus yesterday, I would hesitate at this time to give the gentleman an answer, but I would yield to the Minority Whip, who attended the Caucus. He might be able to answer the gentleman's question. As far as I am personally concerned it would not be a controversial bill.

I yield to the Minority Whip, who attended the Caucus and who might be able to answer the gentleman's question.

Mr. JOHNSON. Mr. Speaker, I would say that the bill is, by reason of amendments and so forth, controversial, not too controversial but there are those that want to be registered as voting against it.

Therefore, we have agreed to hold it over until next Monday, when everybody can be here to have a fair vote on the bill.

Mr. LOVETT. Your own personal belief is that the bill should not be controversial, is that correct?

Mr. JOHNSON. No, I did not say that. I was not expressing my own personal belief. That will be expressed when I cast my vote.

BILLS PASSED OVER

There being no objection

House Bill No. 1390, Printer's No. 923 and

House Bill No. 1735, Printer's No. 970

were passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILLS

Mr. READINGER asked and obtained unanimous consent to extend the time five days on House Bill No. 368, Printer's No. 622, on page 8 of today's calendar, bills on final passage postponed.

Mr. READINGER asked and obtained unanimous consent to extend the time five days on House Bill No. 407, Printer's No. 624, on page 8 of today's calendar, bills on final passage postponed.

APPROPRIATION BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1746, as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An appropriation is hereby made to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania for the maintenance of six hundred (600) wards of the Commonwealth at one thousand fifty-eight dollars ($1,058) per capita per annum and the sum of one million two hundred sixty-nine thousand six hundred dollars ($1,269,600) or as much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred fifty-five Absences or vacations of three weeks or less in any fiscal year shall not be deducted but any absences or vacations in excess of three weeks in any fiscal year shall be deducted

Section 2 The appropriation made by section one of this act is made on the condition that every mental defective admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth (1) shall be selected by the Department of Welfare from a list submitted from time to time to the department by the board of directors of the school and (2) shall have been previously investigated by the Department of Revenue for the purposes of determining the extent if any such mental defectives or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boles,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Elberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Esmleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,

Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1783, as follows:

An Act to provide for the ordinary expenses of the Department of Health for two years beginning June first one thousand nine hundred fifty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three million one hundred eight thousand dollars ($3,108,000) or as much thereof as may be necessary is appropriated from the General Fund to the Department of Health for the two years beginning June first one thousand nine hundred fifty-five for the payment of State matching funds to carry out the provisions of the Local Health Administration Law with respect to State grants to the Philadelphia Department of Health

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boles,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 115, Printer's No. 924

House Bill No. 257, Printer's No. 679

House Bill No. 369, Printer's No. 316

House Bill No. 370, Printer's No. 868, and

House Bill No. 501, Printer's No. 913

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 662, as follows:

An Act amending the act of May 5 1933 (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" empowering nonprofit corporations to transfer their property and assets in trust

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 302 act of May 5 1933 (P. L. 289) known as the "Nonprofit Corporation Law" is amended by adding at the end thereof a new clause to read

Section 302 General Powers Subject to the limitations and restrictions contained in this act or in its articles every nonprofit corporation shall have power

* * *

(13) To transfer revocably or irrevocably any part of its property and assets in trust to a corporate trustee which shall be a bank and trust company or trust company incorporated under the laws of Pennsylvania or a

national banking association having fiduciary powers and having its principal office in Pennsylvania and to authorize such corporate trustee to invest and reinvest such property and assets subject to the same powers restrictions and obligations with respect to investment and reinvestment of such property and assets as are applicable to the nonprofit corporation itself and to pay over the net income therefrom to such nonprofit corporation at least semi-annually or at more frequent intervals if so agreed

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich.	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boles,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 873, Printer's No. 875
House Bill No. 929, Printer's No. 876
House Bill No. 1055, Printer's No. 930
House Bill No. 1101, Printer's No. 878
House Bill No. 1111, Printer's No. 968
House Bill No. 1116, Printer's No. 767
House Bill No. 1219, Printer's No. 383
House Bill No. 1236, Printer's No. 692
House Bill No. 1268, Printer's No. 896
House Bill No. 1388, Printer's No. 934
House Bill No. 1391, Printer's No. 935 and
House Bill No. 1413, Printer's No. 834

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1501, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey real property situate in the Borough of West Chester Chester County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following tract of land situate in the Borough of West Chester County of Chester and Commonwealth of Pennsylvania bounded and described as follows

Beginning in the east line of Spruce Avenue as the same is laid out and opened fifty feet wide at a corner of Lot number 95 thence leaving Spruce Avenue and extending along Lot number 95 north sixty-three degrees forty-seven minutes east two hundred and twenty feet thence extending along Lots numbers 108 and 91 south twenty-six degrees thirteen minutes east one hundred and ten feet thence extending along the remainder of Lots 92 and 93 south sixty-three degrees forty-seven minutes west two hundred and twenty feet to the east line of Spruce Avenue thence extending along the east line of Spruce Avenue north twenty-six degrees thirteen minutes west one hundred and ten feet to the first mentioned point and place of beginning

Containing 24,200 square feet of land more or less with the appurtenances buildings and improvements thereon erected

This is a part of the same land conveyed by Lewis S Hickman Jr and Margaret Hickman husband and wife to William Drayman a party grantor herein by deed dated January 12 1946 and recorded January 14 1946 in Chester County Deed Book "Y-21" Volume 521 at page 279 and laid out in a plan of lots as surveyed by Damon and Foster Registered Engineers under date of August 1 1945 a print of said plan being recorded in Chester County Plan Book Volume 2 at page 75

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 All moneys received from the sale of the land shall be deposited in the General Fund

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as folows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boles,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1562, Printer's No. 607,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1589, as follows:

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the names of the general hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Welfare of section 202 and section 401 act of April 9 1929 (P. L. 177) known as "The Administrative Code of 1929" amended July 20 1953 (P. L. 526) and August 21 1953 (P. L. 1257) are amended to read

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * *

In the Department of Welfare

State Council for the Blind

Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford

Board of Trustees of Western State Penitentiary

Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees at Rockview

Board of Trustees of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women

Board of Trustees of Pennsylvania Training School at Morganza

Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital

Board of Trustees of Danville State Hospital

Board of Trustees of Farview State Hospital

Board of Trustees of Harrisburg State Hospital

Board of Trustees of Norristown State Hospital

Board of Trustees of Warren State Hospital

Board of Trustees of Wernersville State Hospital

Board of Trustees of Torrance State Hospital

Board of Trustees of the State General Hospital at Ashland [State Hospital]

Board of Trustees of the State General Hospital at Blossburg [State Hospital]

Board of Trustees of the State General Hospital at Coaldale [State Hospital]

Board of Trustees of the State General Hospital at Connellsville [State Hospital]

Board of Trustees of Dixmont State Hospital

Board of Trustees of the State General Hospital at Hazleton [State Hospital]

Board of Trustees of [Locust Mountain State Hospital] the State General Hospital at Shenandoah

Board of Trustees of the State General Hospital at Nanticoke [State Hospital]

Board of Trustees of the State General Hospital at Philipsburg [State Hospital]

Board of Trustees of the State General Hospital at Scranton [State Hospital]

Board of Trustees of the State General Hospital at Shamokin [State Hospital]
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State School

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the .....
.. ..
(descriptive name of the political subdivision in which institution is located) State Hospital

* * *

Section 401 Boards of Trustees of State Institutions The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex officio

The terms of each member of each such board shall be four years and until his successor is appointed and qualified

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board The secretary and treasurer may be the same person

This section shall apply to

Board of Trustees of Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Scotland School for Veterans' Children
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney State Teachers' College
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon
Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania
Board of Trustees at Rockview
Board of Trustees of the Pennsylvania Training School for Girls
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School at Morganza
Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of the State General Hospital at Ashland [State Hospital]
Board of Trustees of the State General Hospital at Blossburg [State Hospital]
Board of Trustees of the State General Hospital at Coaldale [State Hospital]
Board of Trustees of the State General Hospital at Connellsville [State Hospital]
Board of Trustees of Dixmont State Hospital
Board of Trustees of the State General Hospital at Hazleton [State Hospital]
Board of Trustees of [Locust Mountain State Hospital] the State General Hospital at Shenandoah
Board of Trustees of the State General Hospital at Nanticoke [State Hospital]
Board of Trustees of the State General Hospital at Philipsburg [State Hospital]
Board of Trustees of the State General Hospital at Scranton [State Hospital
Board of Trustees of the State General Hospital at Shamokin [State Hospital]
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State School

Boards of Trustees of such institutions as are acquired by the Commonwealth from any county city or institution district and are used as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Provided That from and after the third Tuesday of January one thousand nine hundred and forty-three the terms of the first three members to be appointed by the Governor to each of the following boards of trustees shall expire on the third Tuesday of January one thousand nine hundred and forty-five and the terms of the next three members to be appointed shall expire on the third Tuesday of January one thousand nine hundred and forty-seven and the terms of the next three members shall expire of the third Tuesday of January one thousand nine hundred and forty-nine the successors to each of the above mentioned members shall be appointed for terms of six years and all appointments thereafter shall be for terms of six years except those to fill vacancies created prior to the end of any term which shall be only for the duration of the unexpired term

Board of Trustees of Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Scotland School for Veterans' Children
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College

Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney State Teachers' College

Section 2 Section 2318 of the act amended July 20 1953 (P. L. 526) is amended to read

Section 2318 Boards of Trustees of State Institutions The board of trustees of each State institution within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or warden of the institution who shall subject to the authority of the board administer the institution in all its departments

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The boards of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia

Board of Trustees at Graterford of the Maximum Security Prison at Graterford and the Medium Security Prison at Graterford

Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview only until the Pennsylvania Industrial School is established at Rockview or until the Pennsylvania Institution for Delinquent Defectives is established at Rockview

Board of Trustees at Rockview of the Minimum Security Prison at Rockview

The Pennsylvania Industrial School at Rockview

The Pennsylvania Institution for Delinquent Defectives at Rockview

Board of Trustees of Pennsylvania Institution for Defective Delinquents and upon the establishment of the Medium Security Prison at Huntingdon to be known as the Board of Trustees at Huntingdon for the Medium Security Prison at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees of the Pennsylvania Training School for Girls of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy

Board of Trustees of the Pennsylvania Training School at Morganza of Pennsylvania Training School at Morganza

Board of Trustees of the Pennsylvania Training School at Kis-Lyn of Pennsylvania Training School at Kis-Lyn in Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown

Board of Trustees of Danville Sttae Hospital of State Hospital for the Insane at Danville Pennsylvania

Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane Torrance

Board of Trustees of the State General Hospital at Ashland [State Hospital] of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania at Ashland

Board of Trustees of the State General Hospital at Blossburg [State Hospital] at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg

Board of Trustees of the State General Hospital at Coaldale [State Hospital] of State Hospital of Coaldale Schuylkill County

Board of Trustees of the State General Hospital at Connellsville [State Hospital] of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville

Board of Trustees of Dixmont State Hospital of Dixmont State Hospital at Dixmont

Board of Trustees of the State General Hospital at Hazleton [State Hospital] of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton

Board of Trustees of the State General Hospital at Nanticoke [State Hospital] of the State Hospital of Luzerne County at Nanticoke

Board of Trustees of the State General Hospital at Philipsburg [State Hospital] of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of the State General Hospital at Scranton [State Hospital] of State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton

Board of Trustees of the State General Hospital at Shamokin [State Hospital] of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin

Board of Trustees of [Locust Mountain State Hospital] the State General Hospital at Shenandoah of Locust Mountain State Hospital at Shenandoah

Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton

Board of Trustees of Pennhurst State School of State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst

Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selingrove State [Colony for Epileptics] School of the State Colony for Epileptics at Selinsgrove

The foregoing powers shall also be exercised by the respective boards of trustees of institutions acquired by the Commonwealth from any county city or institution district for use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Section 3 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boles,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,

Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Verona,
Cooper,	Kline,	O'Neil,	Vaughan,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1590 as follows:

An Act amending the act of June 19, 1939 (P. L. 438) entitled "An act declaring certain restricted State hospitals to be general hospitals and within the limitations of their individual facilities open for the treatment of patients and cases which other general hospitals may treat" changing the names of the general hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of June 19, 1939 (P. L. 438) entitled "An act declaring certain restricted State hospitals to be general hospitals and within the limitations of their individual facilities open for the treatment of patients and cases which other general hospitals may treat" is amended to read

Section 1 The State hospitals hereinafter set forth which under existing laws are restricted as to the admission or acceptance of certain patients or certain types of cases are hereby declared to be general hospitals for the care and treatment of the acutely ill without any restrictions other than those now or hereafter imposed by law upon all general hospitals and except as each individual institution is restricted by the limitations of its facilities and equipment

[Ashland State Hospital] The State General Hospital at Ashland Pennsylvania

[Blossburg State Hospital] The State General Hospital at Blossburg Pennsylvania

[Coaldale State Hospital] The State General Hospital at Coaldale Pennsylvania

[Connellsville State Hospital] The State General Hospital at Connellsville Pennsylvania

[Hazleton State Hospital] The State General Hospital at Hazleton Pennsylvania

[Locust Mountain State Hospital] The State General Hospital at Shenandoah Pennsylvania

[Nanticoke State Hospital] The State General Hospital Hospital at Nanticoke Pennsylvania

[Philipsburg State Hospital] The State General Hospital at Philipsburg Pennsylvania

[Scranton State Hospital] The State General Hospital at Scranton Pennsylvania

[Shamokin State Hospital] The State General Hospital at Shamokin Pennsylvania

Section 2 That this act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, J. J.,	Thomas,
Bucchin,	Johnson,	Murray, H. P.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wallace,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1593 as follows:

An Act regulating waste disposal areas in certain parts of the Commonwealth providing for permits placing duties upon the Department of Mines and imposing penalties

Whereas the igniting of fires on waste disposal areas as herein defined has proven a menace to the lives and property of our citizens in the anthracite and bituminous coal mining areas and

Whereas the Commonwealth the Federal government and local governments have expended and are committed to the expenditure of large sums of money in extinguishing and controlling these fires and the poisonous gases issuing therefrom and

Whereas to protect lives and property the General Assembly deems it important to regulate the use of waste disposal areas

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Purpose of Act This act is an exercise of the police power of the Commonwealth for the protection of the lives and property of the people in those areas of the Commonwealth where anthracite and bituminous coal is or has been mined

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

(1) "Department" means the Department of Mines of this Commonwealth

(2) "Association" means a partnership limited partnership or any form of unincorporated enterprise owned by one or more persons

(3) "Corporation" means a corporation or stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

(4) "Person" means every natural person association or corporation whenever used in any clause prescribing and imposing a fine or imprisonment or both The term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" the officers thereof

(5) "Secretary" means the Secretary of Mines of this Commonwealth or his duly authorized deputy or representative

(6) "Waste disposal area" means any land used in the anthracite and bituminous coal mining areas of this Commonwealth as a place for the dumping depositing or disposal of garbage refuse ashes rubbish or other material

Section 3 Application of Act This act shall apply only to lands in the anthracite and bituminous coal mining areas of this Commonwealth but it shall be applicable whether the land is being used by a person as herein defined or by a political subdivision of this Commonwealth

Section 4 Permits (a) On and after the effective date of this act it shall be unlawful for any person to continue to use his land or the land of any other person as a waste disposal area unless a permit or permits shall have been issued to him as hereinafter required by this act

(b) Every person using his land or using the land of some other person as a waste disposal area shall file an application for a permit for such use with the department The application shall be made upon a form prescribed prepared and furnished by the department and shall set forth such information as the department may require including but not limited to the precautions and methods which will be taken to prevent the ignition of the waste disposal area Such permits may be issued upon such conditions and provisions as the Secretary shall deem necessary to prevent the waste disposal area from becoming a fire or gas hazard

(c) Upon inspection of the proposed waste disposal area and approval of the application the department shall grant and issue a permit for each place of business within the Commonwealth set forth in the application Permits shall not be assignable without the approval of the department and shall be valid only for those in whose names issued and for the places designated therein All permits shall expire on the thirty-first day of May next succeeding the date upon which they are issued or unless sooner suspended surrendered or revoked for cause by the Secretary

Section 5 Penalties (a) Any person using the land of another as a waste disposal area without a permit from the Department of Mines shall upon summary conviction be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than ten (10) days

(b) Any person permitting the use of his land as a waste disposal area without a permit from the Department of Mines shall upon summary conviction be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for not more than ten (10) days

(c) Any person who shall continue to violate the provisions of subsection (a) or (b) after conviction in a summary proceeding as above provided shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) Every day during which this law is violated shall constitute a separate offense

(d) Any permit granted by the department as provided in this act shall be revocable or subject to suspension at any time the department shall determine the waste disposal area is or has been conducted in a manner dangerous to life or property

Section 6 In cases where the Secretary deems the circumstances require it for the protection of lives and/or property a mandatory preliminary injunction or special injunction may be issued upon the terms prescribed by the court

Section 7 The Department of Mines is authorized to make alter amend and repeal such rules and regulations in connection with the granting of the permits and the use of the waste disposal areas as it deems necessary to prevent fires on the waste disposal areas the emission of gases therefrom and generally to effectuate the purposes of this act

Section 8 Every waste disposal area shall be inspected from time to time by the duly authorized representative of the department and reports thereof shall be forwarded to the Secretary

Section 9 Permits shall be issued upon payment of a fee of twenty-five dollars ($25.00) for each permit

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,

Blair,	Hass,	Mihm,	Stank,
Boles,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1613, as follows:

An Act to further amend section 1 of the act approved the thirteeth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thouansd eignt hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by requiring every title insurance or trust company bank and trust company or trust company to compute and pay the State tax on shares of capital stock when making reports and extending the date for making such reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) enittled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-nine Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the twentieth day of July one thousand nine hundred fifty-three (P. L. 515) is hereby further amended to read as follows

Section 1 Be it enacted and c That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under any act of Assembly heretofore or hereafter approved except any such companies all of the shares of capital stock of which (other than shares necessary to qualify directors) are owned by a company which is liable to pay to the Commonwealth a tax on shares shall on or before the fifteenth day of [February] March in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two to assess such shares for taxation at the rate of eight mills upon each dollar of the

actual value thereof and for the calendar year ending December thirty-first one thousand nine hundred forty-three at the rate of five mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof and for the calendar year ending fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares

It shall be the duty of every such company [within a period of thirty days after the date of such settlement by the Department of Revenue at its option] at the time of making every report required by this section to compute the tax and to pay the amount of said tax to the State treasurer through the Department of Revenue either from its general fund or [to collect] from the amount of said tax collected from its shareholders [and pay the same to the State Treasurer through the Department of Revenue] Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revnue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall be applicable to reports required to be filed for the tax year ending December thirty-first one thousand nine hundred and fifty-five and thereafter

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	**Garlock,**	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	**George,**	**Maxwell,**	Sarraf,
Anderson, M. S.,	Gibb,	**McCann,**	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	**McInroy,**	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	**Moody,**	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	**Horst,**	Mullen,	Stroup,
Brenninger,	**Houk,**	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	**Johnson,**	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	**Jump,**	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	**Ogilvie,**	Varner,
Connelly,	**Kent,**	Olsen,	**Vaughan,**
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	**Pettigrew,**	Weidner,
Ehrgood,	**Lafore,**	**Polaski,**	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	**Leiby,**	**Pomeroy,**	**Wheeler,**
Eshleman,	**Leisey,**	**Price,**	Whitenight,
Ewing,	**Leonard,**	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	**Light,**	Reibman,	**Wilt,**
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	**Renwick,**	Worley,
Flynn,	**Lopresti,**	**Rigby,**	**Yetzer,**
Foster,	**Lovett,**	**Rosen,**	**Young,**
Frascella,	Lutty,	Rovansek,	Zimmer,
Gaffney,	**Magee,**	**Royer,**	**Andrews,** Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1617, as follows:

An Act amending the act of July 11, 1917 (P. L. 769) entitled "An act to regulate the importation into the State of Pennsylvania of dependent delinquent or defective children and providing a penalty for the violation thereof" authorizing use of forfeited bond for the further placing of children

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 act of July 11, 1917 (P. L. 769) entitled "An act to regulate the importation into the State of Pennsylvania of dependent delinquent or defective children and providing a penalty for the violation thereof" amended June 19, 1939 (P. L. 436) is amended to read

Section 2 Such person corporation association or institution before bringing or sending or causing to be brought or sent any such child into this State shall first give an indemnity bond in favor of the State of Pennsylvania or to the agency the Secretary of Welfare may designate or both in the penal sum of one thousand dollars to be approved by the Department of Welfare and such other guarantee to the Department of Welfare as it may require conditioned as follows That they will not send or bring or cause to be brought or sent into this State any child that is incorrigible or one that is of unsound mind or body that they will at once upon the placement of such child report to the Department of Welfare its name and age and the name and residence of the person with whom it is placed that if any such child shall before it reaches the age of twenty-one years become a public charge they will within thirty days after written notice shall have been given them of such fact by the Department of Welfare remove such child from the State and if any such dependent child shall be convicted of crime or misdemeanor and imprisoned within three years from the time of its arrival within the State such person corporation association or institution will remove from the State such child immediately upon its being released from such imprisonment and upon failure after thirty days' notice and demand to remove any such child who shall have either become a public charge as aforesaid or who shall have been convicted as aforementioned in either event such person corporation association or institution shall at once and thereby forfeit the sum of one thousand dollars as a penalty therefor to be recovered upon such bond by a suit in the name of the State of Pennsylvania which sums or any part thereof collected by the State may be assigned by the Secretary of Welfare to the agency designated by the Secretary of Welfare to place the child elsewhere and if the bond is given in the name of an agency other than the State of Pennsylvania the agency may proceed to accomplish forfeiture of the entire sum or part thereof and

collect the entire sum or part thereof under the terms of the bond and utilize the funds forfeited or collected to place the child elsewhere that they will place or cause to be placed each of such dependent children under written contract which will secure to such child a proper home and will make the person so receiving such child responsible for its proper care education and training that they will properly supervise the care and training of each of such children and that each of such children shall be visited at least twice a year by a responsible agent of the person corporation association or institution so placing or causing to be placed such child as herein provided that they will make to the said department such reports of their work as said department from time to time may require

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lopresti,	Renwick,	Worley,
Flynn,	Lippincott,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1618, Printer's No. 837

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1674, as follows:

An Act making an appropriation to the Department of Welfare for the two fiscal years beginning June 1, 1955 to assist in the payment of the operation and maintenance by the Trustees of Mercy-Douglass Hospital of the addition to Philadelphia State Hospital constructed by The General State Authority

Whereas The General State Authority has recently completed a two hundred thirty-eight (238) bed ten (10) story addition to the Philadelphia State Hospital which the Legislature has authorized the Mercy-Douglass Hospital to operate and

Whereas These facilities which have not yet been put into use are urgently needed for the treatment of mental patients as well as for medical and surgical care and

Whereas The Trustees of the Mercy-Douglass Hospital do not have any funds to open the hospital nor will their income from patients or donations be sufficient to operate and maintain this new addition to the hospital and

Whereas It now appears that eight hundred eighty thousand dollars ($880,000.00) will be needed during the next two years for such operation and maintenance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight hundred eighty thousand dollars ($880,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the two fiscal years beginning June 1, 1955 to assist in paying for the operation and maintenance by the Board of Trustees of the Mercy-Douglass Hospital of the addition to the Philadelphia State Hospital constructed by The General State Authority in accordance with the provisions of the act of September 29, 1951 (P. L. 1652) and its amendments

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
		Murphy,	Taylor,

Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Tompkins,
Capano,	Jones, T. H. W.,	Naugle,	Toomey,
Cianfrani,	Jump,	Needham,	Varallo,
Cioffi,	Kamyk,	Ogilvie,	Varner,
Comer,	Kehler,	Olsen,	Vaughan,
Connelly,	Kent,	O'Neil,	Verona,
Cooper,	Kline,	Pacchioli,	Wall,
Curwood,	Knecht,	Paulhamus,	Wallace,
Davis,	Kolankiewicz,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Petrosky,	Waterhouse,
Dougherty,	Kromer,	Pettigrew,	Weidner,
Down,	Kubacki,	Polaski,	Welsh,
Ehrgood,	Lafore,	Polen,	Wescott,
Ellberg,	Lawyer,	Pomeroy,	Wheeler,
Erb,	Leiby,	Price,	Whitenight,
Eshleman,	Leisey,	Pursley,	Willaredt,
Ewing,	Leonard,	Readinger,	Williams,
Farabaugh,	Leven,	Reibman,	Wilt,
Filo,	Light,	Reidenbach,	Wood,
Flint,	Limper,	Renwick,	Worley,
Floyd,	Lippincott,	Rigby,	Yetzer,
Flynn,	Lopresti,	Rosen,	Young,
Foster,	Lovett,	Rovansek,	Ziegler,
Frascella,	Lutty,	Royer,	Andrews,
Gaffney,	Magee,		Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1695, Printer's No. 950 and

House Bill No. 1707, Printer's No. 842

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1721, as follows:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds property and investments held in a fiduciary capacity

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1410 act of May 15, 1933 (P. L. 624) known as the "Banking Code" is amended to read

Section 1410 Effect of Merger or Consolidation on Estates Held or to Be Held in Fiduciary Capacity A Whenever one or more of the bank and trust companies trust companies or national banking associations which have participated in a merger or a consolidation were authorized under the laws of this Commonwealth or of the United States to act in a fiduciary capacity all the funds property or investments held by such corporation or corporations as trustee guardian executor administrator or other fiduciary shall be taken and deemed to be transferred to and vested in the surviving or new incorporated institution without any further act or deed or any order or decree of any court or other tribunal whether or not the original fiduciary was appointed by parol by deed by order of court or by the issuance of letters testamentary or letters of administration The surviving or new incorporated institution shall become fiduciary to the same extent and with the same rights powers duties and liabilities in its capacity as fiduciary as the corporation which was originally fiduciary and from which by operation of the provisions of this section the surviving or new incorporated institution has taken over the relationship of fiduciary

However as soon as the articles of merger or articles of consolidation as the case may be are filed in the Department of State the surviving or new incorporated institution shall forthwith [give written notice in so far as the giving of such notice is practicable] cause notice thereof to be given in one newspaper of general circulation and the legal periodical if any designated by rule of court for the publication of legal notices once a week for three successive weeks in the county or in each of the counties in which the principal offices of the bank and trust companies trust companies or national banking associations which have participated in the merger or consolidation are located to all corporations or persons [who appear upon the available books or other records as or who are otherwise known to be parties] interested in any funds property or investments formerly held in a fiduciary capacity by [such incorporated institution in a fiduciary capacity] the bank and trust companies trust companies or national banking associations which have participated in the merger or consolidation under the provisions of this act Such corporations or persons may [within thirty days after the giving of such notice] apply for the appointment of a substituted fiduciary Such application shall be made to the appropriate court register of wills or other tribunal as the case may be or if the instrument under which the fiduciary relation was established prescribes a different authority or method then to such authority or by such method If such application is made notice thereof shall forthwith be given to the surviving or new incorporated institution Except in cases where the instrument creating the fiduciary relationship designates a different method or otherwise provides the court register of wills or other tribunal to whom such applications is made pursuant to the provisions of this section shall have the power to appoint a substituted fiduciary and to order the surviving or new incorporated institution to file an account of such estate and to transfer and pay over to the substituted fiduciary the funds property or investments of the estate Nothing herein contained shall be construed to affect or impair the power of any court having jurisdiction to remove any fiduciary under the provisions of any other law of this Commonwealth

If the parties to whom the notice required by this section has been given do not [within the thirty-day period] make such application or pursue whatever method is prescribed by the instrument under which the fiduciary relationship was established for the appointment of a substituted fiduciary and give the surviving or new incorporated institution notice thereof or if it is impracticable to give notice as where there are unborn beneficiaries the surviving or new incorporated institution shall continue to be fiduciary subject to removal only at such time under such circumstances and by such authority as could have

effected the removal of the original corporation as fiduciary if the merger or consolidation had never come into existence

B Whenever a bank and trust company a trust company or a national banking association authorize to act as a fiduciary in this Commonwealth has heretofore been or shall hereafter be named or appointed trustee guardian executor administrator or other fiduciary such nomination or appointment shall not be deemed to have lapsed by reason of the merger or consolidation of such bank and trust company trust company or national banking association with one or more corporations pursuant to the provisions of this act but such surviving or new incorporated institution shall be entitled to act in the same fiduciary capacity under such nomination or appointment as the original bank and trust company trust company or national banking association could have acted if such merger or consolidation had not been effected

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rudisill,
Agnew,	Gelfand,	Markley,	Sarraf,
Amarando,	George,	Maxwell,	Scarcelli,
Anderson, M. S.,	Gibb,	McCann,	Schuster,
Anderson, S. A.,	Gibson,	McCormack,	Sherman,
Ashton,	Goldstein,	McGee,	Sigman,
Auker,	Gramlich,	McInroy,	Smith, C. C.,
Banker,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Barnatovich,	Guthrie,	McWherter,	Snider,
Bazin,	Hamilton, R. K.,	Meholchick,	Spencer,
Bell,	Hamilton, W. H.,	Metz,	Stank,
Blair,	Hass,	Mihm,	Stebbins,
Boles,	Haudenshield,	Mikula,	Steckel,
Bonner,	Heavey,	Miller,	Stephens,
Boory,	Helm,	Mills,	Stevenson,
Bower,	Henzel,	Monroe,	Stone,
Branca,	Hewitt,	Moody,	Stoner,
Breisch,	Hocker,	Moran,	Strausser,
Brennan, A. P.,	Holt,	Muldowney,	Stroup,
Brennan, J. J.,	Horst,	Mullen,	Swartz,
Brenninger,	Houk,	Munley,	Taylor,
Breth,	Isaacs,	Murphy,	Thomas,
Brown,	Jenkins,	Murray, H. P.,	Thompson,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Murray, P. G.,	Tompkins,
Capano,	Jones, T. H. W.,	Musto,	Toomey,
Cianfrani,	Jump,	Naugle,	Varallo,
Cioffi,	Kamyk,	Needham,	Varner,
Comer,	Kehler,	Ogilvie,	Vaughan,
Connelly,	Kent,	Olsen,	Verona,
Cooper,	Kline,	O'Neil,	Wall,
Curwood,	Knecht,	Pacchioli,	Wallace,
Davis,	Kolankiewicz,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Down,	Kubacki,	Pettigrew,	Welsh,
Ehrgood,	Lafore,	Polaski,	Wescott,
Eilberg,	Lawyer,	Polen,	Wheeler,
Erb,	Leiby,	Pomeroy,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Filo,	Light,	Reibman,	Wood,
Flint,	Limner,	Reidenbach,	Worley,
Floyd,	Lippincott,	Renwick,	Yetzer,
Flynn,	Lopresti,	Rigby,	Young,
Foster,	Lovett,	Rosen,	Ziegler,
Frascella,	Lutty,	Rovansek,	Andrews,
Gaffney,	Magee.	Royer,	Speaker
		Rubin,	

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1725, as follows:

An Act relating to the use of conveyor belts in coal mines providing for the safety of persons employed therein and the protection of property connected therewith conferring powers and imposing duties upon the Department of Mines and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall apply to all coal mines operating in the Commonwealth of Pennsylvania in which five (5) or more persons are employed at any one time

Section 2 It shall be unlawful to operate any conveyor belt in such coal mines unless such conveyor belt is efficiently insulated by flame resistant material according to standards approved by the Secretary of Mines

Section 3 The Department of Mines is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act

Section 4 Any operator or other person violating the provisions of this act shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than fifty dollars ($50.00) and costs nor more than two hundred fifty dollars ($250.00) and costs and in default of the payment of such fine and costs shall be imprisoned one (1) day for each dollar of fine and costs unpaid Each day of violation of the provisions of this act shall constitute a separate offense

Section 5 This act shall become effective the first day of January one thousand nine hundred fifty-six provided that an operator of any mine covered by this act who may at the time of the passage of this act have in use a conveyor belt which is not fire resistant and which has not been approved by the Department of Mines may continue to use such conveyor belt until replacement is necessary or until the Department of Mines shall order a conveyor belt replaced in either such case the new conveyor belt shall meet the requirements of this act and the rules and regulations as promulgated by the Department of Mines pursuant to the authority granted herein In no event shall any conveyor belt in any mine covered by this act be used at a date later than the first day of January one thousand nine hundred fifty-eight unless such conveyor belt conforms to the standards prescribed as provided for in this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rudisill,
Agnew,	Gelfand,	Markley,	Sarraf,
Amarando,	George,	Maxwell,	Scarcelli,
Anderson, M. S.,	Gibb,	McCann,	Schuster,
Anderson, S. A.,	Gibson,	McCormack,	Sherman,
Ashton,	Goldstein,	McGee,	Sigman,
Auker,	Gramlich,	McInroy,	Smith, C. C.,
Banker,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Barnatovich,	Guthrie,	McWherter,	Snider,
Bazin,	Hamilton, R. K.,	Meholchick,	Spencer,
Bell,	Hamilton, W. H.,	Metz,	Stank,
Blair,	Hass,	Mihm,	Stebbins,

Boies,	Haudenshield,	Mikula,	Steckel,
Bonner,	Heavey,	Miller,	Stephens,
Boory,	Helm,	Mills,	Stevenson,
Bower,	Henzel,	Monroe,	Stone,
Branca,	Hewitt,	Moody,	Stoner,
Breisch,	Hocker,	Moran,	Strausser,
Brennan, A. P.,	Holt,	Muldowney,	Stroup,
Brennan, J. J.,	Horst,	Mullen,	Swartz,
Brenninger,	Houk,	Munley,	Taylor,
Breth,	Isaacs,	Murphy,	Thomas,
Brown,	Jenkins,	Murray, H. P.,	Thompson,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Murray, P. G.,	Tompkins,
Capano,	Jones, T. H. W.,	Musto,	Toomey,
Cianfrani,	Jump,	Naugle,	Varallo,
Cioffi,	Kamyk,	Needham,	Varner,
Comer,	Kehler,	Ogilvie,	Vaughan,
Connelly,	Kent,	Olsen,	Verona,
Cooper,	Kline,	O'Neil,	Wall,
Curwood,	Knecht,	Pacchioli,	Wallace,
Davis,	Kolankiewicz,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Down,	Kubacki,	Pettigrew,	Welsh,
Ehrgood,	Lafore,	Polaski,	Wescott,
Eilberg,	Lawyer,	Polen,	Wheeler,
Erb,	Leiby,	Pomeroy,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Filo,	Light,	Reibman,	Wood,
Flint,	Limper,	Reidenbach,	Worley,
Floyd,	Lippincott,	Renwick,	Yetzer,
Flynn,	Lopresti,	Rigby,	Young,
Foster,	Lovett,	Rosen,	Ziegler,
Frascella,	Lutty,	Rovansek,	Andrews,
Gaffney,	Magee,	Royer,	Speaker
		Rubin,	

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1726, as follows:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further regulating regular meetings of boards of directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (4) of section 401 act of May 5, 1933 (P. L. 457) known as the "Building and Loan Code" is amended to read

Section 401 Number and Election of Directors Executive Committee Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors of an association may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

* * *

(4) The regular meetings of the board of directors shall be held at the principal place of business of the association but special meetings may be held at such place within this Commonwealth as a majority of the directors may from time to time designate

* * *

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews,
			Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1734, as follows:

An Act amending the act of July 15, 1935 (P. L. 1034) titled "An act requiring operators of anthracite coal mines to report shipments to the Department of Mines" requiring breakers washeries or preparation plants to file reports and changing the time for filing reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 2 act of July 15 1935 (P. L. 1034) entitled "An act requiring operators of anthracite coal mines to report shipments to the Department of Mines" are amended to read

An Act

Requiring operators breakers washeries or preparation plants of anthracite coal mines to report shipments to the Department of Mines

Section 2 All operators breakers washeries or preparation plants of anthracite coal mines shall report [monthly] to the Department of Mines within fifteen days after the close of each month shipments of anthracite for preceding months to destinations such destinations to include each state each province of Canada and such subdivisions thereof as the department may designate

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rudisill,
Agnew,	Gelfand,	Markley,	Sarraf,
Amarando,	George,	Maxwell,	Scarcelli,
Anderson, M. S.,	Gibb,	McCann,	Schuster,
Anderson, S. A.,	Gibson,	McCormack,	Sherman,
Ashton,	Goldstein,	McGee,	Sieman,
Auker,	Gramlich,	McInroy,	Smith, C. C.,
Banker,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Barnatovich,	Guthrie,	McWherter,	Snider,
Bazin,	Hamilton, R. K.,	Meholchick,	Spencer,
Bell,	Hamilton, W. H.,	Metz,	Stank,
Blair,	Hass,	Mihm,	Stebbins,
Boies,	Haudenshield,	Mikula,	Steckel,
Bonner,	Heavey,	Miller,	Stephens,
Boory,	Helm,	Mills,	Stevenson,
Bower,	Henzel,	Monroe,	Stone,
Branca,	Hewitt,	Moody,	Stoner,
Breisch,	Hocker,	Moran,	Strausser,
Brennan, A. P.,	Holt,	Muldowney,	Stroup,
Brennan, J. J.,	Horst,	Mullen,	Swartz,
Brenninger,	Houk,	Munley,	Taylor,
Breth,	Isaacs,	Murphy,	Thomas,
Brown,	Jenkins,	Murray, H. P.,	Thompson,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Murray, P. G.,	Tompkins,
Capano,	Jones, T. H. W.,	Musto,	Toomey,
Cianfrani,	Jump,	Naugle,	Varallo,
Cioffi,	Kamyk,	Needham,	Varner,
Comer,	Kehler,	Ogilvie,	Vaughan,
Connelly,	Kent,	Olsen,	Verona,
Cooper,	Kline,	O'Neil,	Wall,
Curwood,	Knecht,	Pacchioli,	Wallace,
Davis,	Kolankiewicz,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kratz,	Paulhamus,	Waterhouse,
Dougherty,	Kromer,	Petrosky,	Weidner,
Down,	Kubacki,	Pettigrew,	Welsh,
Ehrgood,	Lafore,	Polaski,	Wescott,
Eilberg,	Lawyer,	Polen,	Wheeler,
Erb,	Leiby,	Pomeroy,	Whitenight,
Eshleman,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Pursley,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Filo,	Light,	Reibman,	Wood,
Flint,	Limper,	Reidenbach,	Worley,
Floyd,	Lippincott,	Renwick,	Yetzer,
Flynn,	Lopresti,	Rigby,	Young,
Foster,	Lovett,	Rosen,	Ziegler,
Frascella,	Lutty,	Rovansek,	Andrews,
Gaffney,	Magee,	Royer,	Speaker
		Rubin,	

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1736, Printer's No. 956

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1752, as follows:

An Act amending the act of June 9, 1911 (P. L. 756) entitled "An act to provide for the health nd safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" changing applicability of act and the requirement of a mine foreman in small mines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of Article XXVIII act of June 9, 1911 (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" amended June 21, 1947 (P. L. 872) is amended to read

Article XXVIII

* * *

Section 3 The provisions of this act shall [not apply to any mine where fewer than five persons are employed or engaged in work inside the mine in any one period of twenty-four hours but any mine inspector shall nevertheless have the right to enter and inspect all mines where from two to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner measured by standards and by regulations promulgated by the Secretary of Mines he shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected Mandatory enforcement of any such order may be had by injunction proceedings

Any such regulations promulgated by the Secretary of Mines shall be selected from the act and the amendments thereto for mines in which five or more persons are employed or engaged in work and shall include only such regulations as are reasonably and practically applicable to mines employing fewer than five persons

Any person who shall continue to operate or be a party to the operation of a mine in which from two to five persons are employed or engaged in work without correcting the unsafe conditions as ordered by a mine inspector shall upon conviction thereof in a summary proceeding for a first offense be sentenced to pay a fine of twenty-five dollars ($25) and costs of prosecution and in default of the payment of such fine and costs shall be imprisoned for a period of ten (10 days and upon conviction of a second or subsequent offense shall be sentenced to pay a fine of fifty dollars ($50) and costs of

prosecution and be imprisoned for a period of thirty (30) days] apply to every bituminous coal mine in the Commonwealth but no mine employing less than five persons on the inside in any twenty-four hour period need have a mine foreman

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1773, Printer's No. 959, and

Senate Bill No. 192, Printer's No. 240

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 262 as follows:

An Act amending the act of May 26 1949 (P L 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" authorizing fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 act of May 26 1949 (P L 1828) known as the "Fiduciaries Investment Act of 1949" is amended by adding at the end thereof a new clause to read

Section 3 Government Obligations Obligations of the following governmental bodies shall be authorized investments

(1) United States Obligations of the United States or the United States Treasury or those for the payment of which the faith and credit of the United States is pledged including obligations of the District of Columbia

(2) Pennsylvania Obligations of the Commonwealth of Pennsylvania or those for the payment of which the faith and credit of the Commonwealth is pledged

(3) State and Local Government Obligations of any commonwealth or state of the United States or any county city borough town township school district institution district or other political subdivision having the power to levy taxes of any such commonwealth or state Provided That the faith and credit of such commonwealth state or political subdivision thereof is pledged for the payment of said obligations And provided further That at the date of the investment in such obligations such commonwealth state or political subdivision is not in default in the payment of any part of the principal or interest owing by it upon any part of its funded indebtedness

(4) International Bank for Reconstruction and Development Bonds notes or other obligations issued assumed or guaranteed by the International Bank for Reconstruction and Development which contain an unconditional promise to pay by the International Bank for Reconstruction and Development or an unconditional guarantee by the International Bank for Reconstruction and Development of the payment of the interest thereon regularly and the principal thereof on or before a specified date in lawful currency of the United States not more than two per cent of the funds in the custody or under the control of the fiduciary at the time of making the investment shall be invested in such bonds notes or obligations the principal office of the obligor shall be located within the United States

Section 2 This act shall take effect immeadiately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,

Auker,	Gramlich	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 267 as follows:

An Act amending the act of June 24 1939 (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" further outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 act of June 24 1939 (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" is amended to read

Section 3 Whenever share accounts of a federal savings and loan association shall be issued to any person describing himself in subscribing for such share accounts as trustee for any person or persons and no other notice of the existence and terms of a valid trust than such description shall have been given to the federal savings and loan association the dividends or earnings on such share accounts as well as the [repurchase] withdrawal value of such share accounts shall in the event of the death of the person so described as trustee be paid to the person or persons for whose benefit the share accounts were stated to have been subscribed if at the time of [such death] payment such beneficiary is over sixteen years of age [If he is a minor not less than sixteen years of age such payment] Payment shall be made to [him] any such beneficiary who is not less than sixteen years of age under the same conditions as [in the case of] if such share accounts had been originally subscribed for by [such minor] him If there are two or more beneficiaries named on any such share accounts the federal savings and loan association shall in the absence of writtten notice to the contrary make payment to such of the beneficiaries as may survive the trustee in equal portions The receipt or acquittance of any such beneficiary or beneficiaries for payments made in accordance with this section shall be a full complete and valid release of the federal savings and loan association from any further liability for the amounts so paid

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
		Readinger,	Williams,

Farabaugh,	Leven,	Reibman,	Wilt,
Filo,	Light,	Reidenbach,	Wood,
Flint,	Limper,	Renwick,	Yetzer,
Floyd,	Lippincott,	Rigby,	Young,
Flynn,	Lopresti,	Rosen,	Zierer,
Foster,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Gaffney,	Magee,		

NAYS—1

Worley,

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 268, Printer's No. 256

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 277 as follows:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" further providing for the administration of the fiscal affairs of the county institution districts in counties of the third to eighth classes regulating the making of contracts and purchases authorizing such districts to take by gift grant devise or bequest money and property and conferring powers and imposing duties on county commissioners county treasurers county controllers and county auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 305 act of June 24, 1937 (P. L. 2017) known as the "County Institution District Law" amended September 29, 1951 (P. L. 1619) is amended to read

Section 305 Powers and Duties as to County Institution District Property As a function of the institution districts and with its funds the commissioners of each county shall have the power and it shall be their duty

(a) With the approval of the Department of Welfare as to suitability and of the Court of Quarter Sessions of the Peace as to the amount of money to be expended and upon such notice as the court may require to acquire by purchase or the right of eminent domain lands and buildings for the care of dependents and for farms taking title in the name of the county institution district

(b) To erect equip maintain repair alter and add to institutions for the care of dependents and to equip maintain cultivate and improve farms using their produce for the support of dependents Any plan for the erection or substantial alteration of an institution must be approved as to suitability by the Department of Welfare and as to the amount of money to be expended by the Court of Quarter Sessions of the Peace

(c) With the approval of the Court of Quarter Sessions of the Peace upon such notice as the court may require to sell or lease real and personal property of the institution district

(d) To pay the other necessary expenses of the institution district

(e) In counties of the third to eighth classes to take by gift grant devise or bequest any money or property real personal or mixed for the benefit of the institution district

Section 2 Section 309 amended April 21, 1949 (P. L. 705) and May 10, 1949 (P. L. 1074) is repealed in so far as it relates to counties of the third to eighth classes

Section 3 The act is amended by adding thereto after section 309 five new sections to read as follows

Section 309.1 In Counties Third to Eighth Classes Fiscal Year and Adoption of Budget The fiscal year of each county institution district in counties of the third to eighth classes shall begin on the first day of January

Section 309.2 In Counties of the Third to Eighth Classes Preparation of Proposed Annual Budget (a) In counties of the third to eighth classes the commissioners shall at their first meeting after the November election in each year begin the preparation of the proposed budget for the succeeding fiscal year

(b) The county controller in such counties shall transmit to the commissioners a comparative statement of revenues for the current and the immediately preceding fiscal year and a comparative statement of expenditures including interest due and to fall due on all lawful interest bearing debts of the district for the same years

(c) The controller's statement shall also indicate the amounts of all appropriations requests submitted to the controller or to the commisisoners and supplied by them to the controller from the several district offices and agencies including estimates of expenditures contemplated by the commissioners as forwarded by them to the controller

(d) The said statements in such form and detail as the commisisoners direct shall be prepared upon forms furnished by the Department of Internal Affairs of the Commonwealth With this information as a guide the commissioners shall within a reasonable time prepare a proposed budget for the succeeding fiscal year

(e) In such counties not having a controller the commissioners shall prepare the statements hereinbefore required

Section 309.3 In Counties of the Third to Eighth Classes Adoption of Budget Publication of Proposed Budget and Notice of Final Action Date (a) The proposed budget in counties of the third to eighth classes shall be prepared and adopted not later than March 31st and notice thereof shall be published once in at least one newspaper of general circulation and the proposed budget shall be made available for public inspection for at least twenty days prior to the date set for adopting the budget The date set for final action on the budget shall in like manner be made a matter of public notice for at least ten days piror thereto

(b) Should it appear upon any revision of the proposed budget in such counties after it has been published that the estimated expenditures in the adopted budget would be increased more than ten per centum in the aggregate or more than twenty-five per centum in any function over the proposed budget as made available for public inspection such revised budget shall not be adopted with any such increases therein unless it be again made available for public inspection and for protest of such increases for a period of at least ten days after notice to that effect is published as hereinbefore provided

Section 309.4 In Counties of the Third to Eighth Classes Annual Budget Appropriations and Tax Filing Budget In counties of the third to eighth classes the budget shall reflect as nearly as possible the estimated revenues and expenditures for the year from which it is prepared It shall be prepared on forms prepared and furnished as provided in this act The commisisoners shall upon adopting the budget adopt the appropriation measures required to put into effect and shall fix such rate of taxation upon the valuation of the property taxable for institution district purposes as will together with all other estimated revenues of the district raise a sufficient sum to meet the said expenditures Within fifteen days after the adoption of the budget the commissioners shall file a copy thereof in the office of the Department of Internal Affairs

Section 309.5 In Counties of the Third to Eighth Classes Supplemental Appropriation Transfers of Funds Appropriation Limits The commissioners in counties of the third to eighth classes may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing now or hereafter authorized by law The commisisoners may authorize the transfer of any unencumbered balance of any appropriation item or any portion thereof During the first fifteen days of any fiscal year the county commissioners shall have the power to authorize the transfer of any unencumbered balance or any portion thereof from any institution district fund to any county fund and to reappropriate such moneys to the county

No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys by the commissioners which will cause the sums appropriated to be exceeded

Section 4 Section 310 amended July 3, 1941 (P. L. 256) is amended to read

Section 310 Fiscal Administration Accounts and Adults (a) The commissioners of each county and the county treasurer shall keep accurate accounts of the moneys of the institution district In the case of institution districts in counties having no county controller such accounts shall be audited by the county auditors The commissioners and the treasurer as officers of the institution district shall be subject to the same fiscal supervison and control as are provided by law with respect to county funds

(b) [In] Subject to the power and duty of the county commisisoners to manage and administer the gscal affairs of the institution district in counties having a county controller the county controller shall have general supervision and control of the fiscal affairs of the institution district and of the accounts and official acts of all officers or other persons who shall collect receive or distribute the public moneys of the district or who shall be charged with the management or custody thereof In counties of the third to eighth classes the discretionary powers of the controller shall not be applicable to the management of the fiscal policies of the commissioners or to matters not involving the accounts and transactions of officers or other persons in the district but he shall refuse to authorize any fiscal transaction which is by law subject to his supervision and control where it appears that such transaction is not authorized by law or has not been undertaken according to law or has not received approval according to law or as to which he desires upon reasonable grounds to investigate for or has already discovered any fraud flagrant abuse of public office or any criminal act or neglect of any officer or other person of the district relating to their public accounts and transactions [He] In all counties the controller may at any time require from any of them in writing an account of all moneys or property which may have come into their control He shall immediately on the discovery of any default or delinquency report the same to the commissioners [and the court of common pleas of the county and] who shall immediately take action to recover the money and to the district attorney for such prosecution as may be warranted and shall take immediate measures to secure the public moneys or property [and remove the delinquent party if in office and not removed by the commissioners]

(c) The controller shall furnish the commisisoners of the county whenever required by them a detailed account of any officer or other person having in his possession or under his control funds belonging to the institution district and shall between the hours of ten o'clock antemeridian and two o'clock postmeridian give information respecting any of said accounts to any taxpayer of the county demanding the same

He shall have power and authority to require each and every county officer to make a quarterly statement with respect to moneys in his possession or control as an institution district officer showing the amount of cash on hand and the amount deposited in banks banking institutions and trust companies together with the names of such institutions He shall have power to examine every such account of an institution district officer in any bank banking institution or trust company to verify the accuracy of the statement of such officer and it shall be the duty of every such bank banking institution or trust company its officers and agents to furnish full information to the controller in relation to such account of such officer No bank banking institution or trust company its officers or agents shall be subject to prosecution under other laws of this Commonwealth for disclosing any such information with respect to any account of an institution district officer

(d) The county controller shall have the custody of all title deeds to real estate owned by the district and of all contracts entered into by or on behalf of the district and of all books documents and papers relating to its financial affairs and of all bonds and other obligations issued by said district when paid Such bonds and other obligations when so paid shall be distinctly cancelled by the controller and carefully and regularly filed a register of which cancellation shall be kept by him in a book to be provided for that purpose

(e) The controller shall keep a full and regular set of books in detail by double entry of all the fiscal operations of the institution district embracing as many accounts under appropriate titles as may be necessary to show distinctly and separately all the property of the district its receipts and expenditures and all debts and accounts due by the officers of the district or others and amount raised from each source of revenue and the expenditures in detail and classified by reference to the objects thereof He shall prescribe the form and manner of keeping the books and papers used by each of the officers of the district in connection with the fiscal affairs of the district Where the controller prescribed a new system of accounting as to the fiscal affairs of the district offices it shall be subject to the approval of the commissioners

(f) He shall in the month of January in every year make a report verified by oath or affirmation to the court of common pleas of the county of all receipts and expenditures of the institution district for the preceding year in detail and classified as required in the preceding section of this act together with a full statement of the financial conditions of the district Such report shall thereupon be published one time in such newspapers published in the county as the controller may direct the aggregate cost of which shall not exceed five hundred dollars in any one year to be paid for out of the funds of the institution district In counties of the third to eighth classes the report may also be published in printed pamphlets at the cost of the district the number and cost thereof to be determined by the controller and the county commissioners Such report may be published in conjunction with and as a part of the similar report of the fiscal affairs of counties

(g) The county treasurer as treasurer of the institution district shall receive all moneys due or accruing to the [county] institution district He shall keep a just and true account of all moneys received and disbursed The books of the treasurer shall at all times during office hours be

open to the inspection of the county controller He shall report daily to the controller all moneys received by him for the district the person by whom and on what account they were paid The treasurer shall give his receipt for all moneys paid into the treasury of the institution district Such receipts shall be countersigned by the controller who shall keep an accurate record of the same

(h) The controller shall scrutinize audit and decide on all bills claims and demands whatsoever against the institution districts All persons having such claims shall first present the same to the controller and if required make oath or affirmation before him to the correctness thereof The controller may if he deems it necessary require evidence by oath or affirmation of the claimant and otherwise that the claim is legally due and that the supplies or services for which payment is claimed have been furnished or performed under legal authority He may inquire or ascertain whether any officer or agent of the district is interested in the contract under which any claim may arise or has received or is to receive any commission consideration or gratuity relating thereto or whether there has been any evasion of [section three hundred and fifteen of this act] the law by making two or more contracts for small amounts which should have been in one If he shall find that there has been any evasion or that any such officer or agent is so interested he shall refuse to approve the claim [All] In counties of the second class all claims which he shall find legally due he shall certify to the commissioners The commissioners in such counties shall draw no warrant on the treasury for any debt claim or demand whatsoever not audited and approved by the controller as provided for in this section

(i) [All] In counties of the second class all warrants drawn on the treasury of the institution district by the commissioners shall be countersigned by the controller who shall keep a correct register thereof noting the number date and amount of each the date of payment and to whom and for what issued The controller shall report to commissioners monthly or oftener if required by them the amount of outstanding warrant registered and the amount of money in the treasury The treasurer shall pay no money out of the treasury of the institution district except on warrants drawn by a majority of the commissioners and countersigned by the controller He shall cancel all warrants when paid by distinctly spearing or cutting them and shall deliver such warrants to the controller who shall also cancel the same He shall report daily to the controller all moneys paid out by him giving the number of the warrant and the party to whom paid All outstanding warrants issued before the controller enters upon the duties of his office shall be presented to him as other claims against the district

(j) In counties of the third to eighth class the auditors shall audit settle and adjust the accounts of all institution district officers and make an annual report thereof on or before the first Monday of March to the court of common pleas unless upon due cause shown the court shall grant an extension of time therefor Said report shall be in detail showing distinctly and separately all receipts and expenditures of the several offices and all debts and accounts due and the amount raised from each source of revenue and the expenditures in detail and classified by reference to the object thereof together with a full statement of the financial conditions of the institution district and a statement of the balance due from or to such officers

The auditor's report shall be prepared and placed in the printer's hands for publication within ten days after being filed in the court of common pleas and shall be published once in such newspapers published in said county as the commissioners direct The expense of the publication of said report shall be paid by the institution district

Section 5 The act is amended by adding thereto after section 310 three new sections to read

Section 310.1 In Counties of the Third to Eighth Classes Voucher Check System The controller in counties of the third to eighth classes shall draw and certify vouchers for all bills claims and demands presented to him which he approves and only for such as he approves and shall forward the vouchers together with checks therefor with the bills claims or demands to the county commissioners for their approval If the county commissioners approve a voucher at least two commissioners shall sign the check as properly drawn upon the county treasury In such cases facsimiles of their signatures may be used Thereupon the bill claim or demand and the voucher thereof shall be returned to the controller for filing in his office and the check shall be forwarded to the county treasurer The county treasurer shall sign the check as his draft upon the funds of the institution district in the county treasury but the treasurer shall not sign any check not already signed as herein provided by the commissioners and the controller Vouchers shall be numbered serially before the controller forwards them to the county commissioners and every check incident thereto shall bear the same serial number as the voucher as well as the number or numbers which may be put upon it or them by the county treasurer If the county commissioners refuse to approve any bill claim or demand they shall return the same together with the voucher and check involved to the controller for filing in his office In counties not having a controller the county commissioners shall approve each transaction and the voucher and check shall be drawn by their chief clerk who shall keep files of the bills claims or demands involved and of the vouchers At least two commissioners shall sign the checks either personally or by facsimile and they shall be forwarded as hereinbefore provided to the county treasurer for his signature In all cases the cancelled checks shall be filed in the office of the county treasurer but he shall transmit at such times as the controller shall establish a list of all checks paid from the funds of the institution district in the county treasury and not previously transmitted giving their voucher serial numbers

Section 310.2 In Counties of the Third to Eighth Classes Claims Not Approved by Controller If the controller in such counties does not approve a claim bill or demand presented to him he shall forward it to the county commissioners together with his notice that he has refused to approve the same and his reasons thereof The county commissioners shall consider the claim bill or demand and if they consider that it should be paid by the institution district they shall so notify the controller If the controller thereafter continues to refuse his approval no payment shall be made thereon by the district except pursuant to an order of court upon a proper issue thereto directing the controller to approve payment

Section 310.3 In Counties of the Third to Eighth Classes Controller's Register of Vouchers Reports to Commissioners The controller in counties of the third to eighth classes shall keep a register of all vouchers drawn and a copy of each voucher When the check or checks drawn upon each voucher has been paid by the treasury the controller shall cancel the voucher or otherwise indicate the payment The controller shall report to the commissioners monthly or oftener if required by them the amount of outstanding checks registered and the amount of money in the treasury or the amount of any particular unencumbered appropriation items involved

Section 6 Section 311 of the act is amended to read

Section 311 Reports to Department of Internal Affairs Within sixty days after the close of each fiscal year of any county institution district the county controller or the county auditors of each county shall report the financial condition of the district to the Department of Internal Affairs on forms furnished by the department Any auditors or controller refusing or wilfully neglecting to file such report shall upon conviction in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars ($5) for each day's delinquency and costs All fines recovered shall be for the use of the Commonwealth

Section 7 Section 315 of the act is amended to read

Section 315 Contracts [of Five Hundred Dollars or More to Be in Writing] It shall be the duty of the commissioners to purchase all supplies for the maintenance

of the inmates of the institutions under their supervision [by written contract where such contract involves an expenditure of five hundred dollars or more The commissioners shall by advertisement inserted in at least one newspaper of the county in which said institution is located once a week for two weeks invite sealed proposals for the furnishing of such supplies and shall award all such contracts to the lowest responsible bidder and shall take from such bidder a bond with sufficient sureties conditioned for the faithful performance of his contract

Any commissioner violating the provisions of this section shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo an imprisonment not exceeding six months or both] and to contract for and purchases for all purposes expressly or impliedly authorized by district officers and agencies They shall where possible anticipate the needs of the various officers and agencies of the district and endeavor to purchase in wholesale quantities where practicable and where savings could be achieved thereby The commissioners may make contracts and purchase all services and personal property for county institution law

All contracts and purchases made by the commissioners for the county institution district shall be made in the same manner and under the same procedure as if they were being made for the county and shall be subject to the same restrictions regulations and controls provided by law for county contracts and purchases

Section 8 This act shall take effect January 1, 1956.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Dr[illegible]dson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
		Readinger,	Williams,
Farabaugh,	Leven,	Reibman,	Wilt,
Filo,	Light,	Reidenbach,	Wood,
Flint,	Limper,	Renwick,	Worley,
Floyd,	Lippincott,	Rigby,	Yetzer,
Flynn,	Lopresti,	Rosen,	Young,
Foster,	Lovett,	Rovansek,	Ziegler,
Frascella,	Lutty,	Royer,	Andrews,
Gaffney,	Magee,		Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 456 as follows:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of said Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" conferring exclusive jurisdiction on certain courts over service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (h) subsection B of section 4 act of May 2, 1945 (P. L. 382) known as the "Municipality Authorities Act of 1945" amended June 12, 1947 (P. L. 571) is amended to read

Section 4 Purposes and Powers General * * *

B Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

* * *

(h) To fix alter charge and collect rates and other charges in the area served by its facilities at reasonable and uniform rates to be determined exclusively by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations or with the municipality incorporating or municipalities which are members of said Authority or with any municipality served or to be served by said Authority and to determine by itself exclusively the services and improvements required to provide adequate safe and reasonable service including extensions thereof in the areas served Provided That if the service area includes more than one municipality the revenues from any project shall not be expended directly or indirectly on any other project unless such expenditures are made for the benefit of the entire service area Any person questioning the reasonableness or uniformity of any rate fixed by any Authority or the adequacy safety and

reasonableness of the Authority's services including extensions thereof may bring suit against the Authority in the court of common pleas of the county wherein the project is located or if the project is located in more than one county then in the court of common pleas of the county wherein the principal office of the project is located The court of common pleas shall have exclusive jurisdiction to determine [the reasonableness and uniformity of rates and other charges fixed altered charged or collected by an Authority] all such questions involving rates or service Appeals may be taken to the Superior Court within thirty days after the court of common pleas has rendered a final decision

* * *

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boles,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Hessel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	[illegible]	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Toomey,
Cianfrani,	Jump,	Naugle,	Tompkins,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wallace,
Davis,	Kolankiewicz,	Parry,	Walsh,
Donahue,	Kornick,	Pashley,	Wall,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Luttv,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 457, Printer's No. 248

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 459 as follows:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school district of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Supeior Court" clarifying the provisions of the act as to the aggregate amount of taxes any political subdivision may levy during a fiscal year and extending certain temporary provisions relative thereto providing for the publication of notices concerning certain tax ordinances and resolutions and permitting the imposition of taxes free from cetain restrictions prescribed by existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section 1 act of June 25, 1947 (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the thid class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" amended September 29, 1951 (P. L. 1578) and September 29, 1951 (P. L. 1640) and January 18, 1952 (P. L. 2093) is reenacted and amended to read

Section 1 * * *

C Over-All Limit of Tax Revenues The aggregate amount of all taxes imposed [by enactment of an ordinance or resolution] by any political subdivision under this section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying the total assessed valuation of real estate in such political subdivision [at the time of the said enactment] by ten (10) mills in cases of cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class and townships of the second class and by fifteen (15) mills in cases of school districts of the second class third class and fourth class Provided That the aggregate amount of taxes imposed by any financially handicapped or distressed school district under this section and in

effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying fifteen (15) mills by the latest total market valuation of real estate in such school district as certified by the State Tax Equalization Board In school districts of the third and fourth class taxes imposed on sales involving the transfer of real property shall not be included in computing the aggregate amount of taxes for any fiscal year in which one hundred (100) or more new homes or other major improvements on real estate were constructed in the school district The provisions of the preceding sentence shall continue in effect until but not including the first Monday of July 1959

Section 2 Section 2 of the act amended May 27, 1953 (P. L. 234) is amended to read

Section 2 Advertisement of Intention to Adopt Tax Ordinance or Resolution Prior to the passage of any ordinance or the adoption of any resolution imposing a tax or license fee under the authority hereunder granted such political subdivision shall give notice of the intention to pass such ordinance or adopt such resolution except as hereinafter provided in case of a reenactment of an ordinance or resolution of the year immediately preceding Such notice shall be given in addition to all other notices required by law to be given and shall set forth the substantial nature of the tax or license fee to be imposed by the proposed ordinance or resolution the reason which in the judgment of the officials of the subdivision necessitates the imposition of the tax and the amount of revenue estimated to be derived from the tax Publication of such notice shall be made by advertisement once a week for three weeks in a newspaper of general circulation within such political subdivision if there is such newspaper and if there is not then such publication shall be made in a newspaper of general circulation within the county in which the advertising political subdivision is located

When any such ordinance or resolution is continued by being again passed or adopted imposing the same tax or license fee without substantial change for the year next following or thereafter from year to year notice of intention as above provided need not be advertised and the provisions of the ordinance or resolution need not be advertised either before or after its passage or adoption as in [other cases] the case of other ordinances or resolutions but only a short notice shall be advertised one time as above provided within ten days after its passage or adoption stating that the ordinance or resolution of the preceding year which imposed a tax of (giving the rate and naming the subjects) has been reenacted without substantial change and the same tax imposed for the year beginning

The ordinance or resolution may be passed or adopted prior to the beginning of the fiscal year and prior to the preparation of the budget when desirable

Section 3 Section 6 of the act is amended to read

Section 6 Any tax imposed under this act shall not be subject to any limitations under existing laws as to rate or amount or as to the necessity of securing court approval or as to budgetary requirements Any city borough or township imposing a tax under this act may revise its budget during any fiscal year by increasing or making additional appropriations from funds to be provided from such tax

Section 4 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 508 as follows:

An Act amending the act of June 23 1931 (P L 932) entitled "An act relating to cities of the third class and amending revising and conslidating the law relating thereto" requiring directors of departments to prepare and submit quarterly reports to the Director of the Department of Accounts and Finance

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1206 act of June 23 1931 (P L 932) known as "The Third Class City Code" reenacted revised and amended June 28 1951 (P L 662) is amended to read

Section 1206 Quarterly Reports from Directors of Department Report of Mayor to Council Information from Directors of Departments The director of each department of the city shall prepare and submit to the [mayor] Director of the Department of Accounts and Finance at the close of each quarter of the fiscal year a comprehen-

sive and detailed report of all expenditures and operation of his department during the quarter The [mayor] Director of the Department of Accounts and Finance shall review and consolidate such quarterly reports and shall prepare and submit to council a consolidated report on the expenditures and operations of the entire city government together with his recommendations not later than the second meeting of council after the close of each quarter The mayor shall have the authority at all times to call upon any official of the city or heads of depadtments for any information as to the affairs under their control and management as he may require He may likewise report upon any and all matters of city government as frequently to council as he deems conducive to the interest and welfare of the city

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Anderson, M. S.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Parry,	Toomey,
Cioffi,	Kamyk,	Naugle,	Varallo,
Comer,	Kehler,	Needham,	Varner,
Connelly,	Kent,	Ogilvie,	Vaughan,
Cooper,	Kline,	Olsen,	Verona,
Curwood,	Knecht,	O'Neil,	Wall,
Davis,	Kolankiewicz,	Pacchioli,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 510, Printer's No. 214

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 603 as follows:

An Act amending the act of June 24 1937 (P L 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance inrespect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" authorizing the sale of surplus farm products and other personal property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 305 act of June 24 1937 (P L 2017) known as the "County Institution District Law' amended September 29 1951 (P L 1619) is amended to read

Section 305 Powers and Duties as to County Institution District Property As a function of the institution district and with its funds the commissioners of each county shall have the power and it shall be their duty

(a) With the approval of the Department of Welfare as to suitability and of the Court of Quarter Sessions of the Peace as to the amount of money to be expended and upon such notice as the court may require to acquire by purchase or the right of eminent domain lands and buildings for the care of dependents and for farms taking title in the name of the county institution district

(b) To erect equip maintain repair alter and add to institutions for the care of dependents and to equip maintain cultivate and improve farms using their produce for the support of dependents Any plan for the erection or substantial alteration of an institution must be approved as to suitability by the Department of Welfare and as to the amount of money to be expended by the Court of Quarter Sessions of the Peace

(c) With the approval of the Court of Quarter Sessions of the Peace upon such notice as the court may require to sell or lease real [and personal] property of the institution district

(d) To pay the other necessary expenses of the institution district

(e) To sell surplus farm products and other personal property deemed to be to the best interest of the institution district Where the commissioners shall approve a sale of such property they shall estimate the sale value of the entire lot to e disposed of If the value is estimated at five hundred dollars ($500) or more the entire lot shall be advertised for sale onec in at least two newspapers of the county not less than ten days prior to the

date fixed for opening of bids and such date shall be announced in the advertisement The property advertised shall be sold to the best responsible bidder This clause shall not be mandatory where property is to be traded in or exchanged for new or other property If the value of the property to be sold is estimated at less than five hundred dollars ($500) advertising for bids shall not be required but at least two bids in writing must be received and the property shall be sold to the best responsible bidder

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boies,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Zelt, Jr.,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kreker	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

RESOLUTION NO. 99

Mr. READINGER. Mr. Speaker, I call up from page 30 of today's calendar House Resolution No. 99.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 27, 1955.

Whereas Adequate and promptly available printing is essential to the proper functioning of the General Assembly and

Whereas In the interests of economy such printing should be supplied at the lowest possible cost to the taxpayer and

Whereas Legislative printing has not been reevaluated since the Joint State Government Commission reports of 1941 and 1947 therefore be it

Resolved (the Senate Concurring) That the Joint State Government Commission be directed to make a thorough and exhaustive study of the entire subject of legislative printing and report its findings and recommendations to the next regular session of the General Assembly together with drafts of legislation necessary to implement the same

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION NO. 105

Mr. READINGER. Mr. Speaker, I call up on page 30 of today's calendar House Resolution No. 105.

The resolution was read, considered and adopted as follows:

In the House of Representatives, July 19, 1955.

The State Board of Examiners of Public Accountants in the Department of Public Instruction is charged with the duty by the act of May 26, 1947 (P. L. 318) known as "The C P A Law" and its amendments of regulating the issuing and issuing certificates of certified public accountants to qualified persons who have met the requirements for receiving such certification

Certification of public accountants is a matter which is of great importance to the financial well being of the business life of this Commonwealth The confidence of the public in certified public accountants has been merited in the past and that confidence must be continued therefore be it

Resolved That the Committee on Professional Licensure is directed to investigate the policies methods and practices of the State Board of Examiners of Public Accountants in the conduct of examinations and the certification of public accountants and be it further

Resolved That the committee make a report of its findings and recommendations to this House of Representatives as soon as possible

RESOLUTION NO. 108

Mr. READINGER. Mr. Speaker, I call up on page 30 of today's calendar House Resolution No. 108.

The resolution was read, considered and adopted as follows:

In the House of Representatives, August 3, 1955.

Within a period of less than two years the quiet dignity of two court rooms in Pennsylvania has resounded to the crack of the assassin's gun and a judge in the midst of the performance of his duty lay dead and another severely wounded The career of a promising young attorney has been cut off before its prime and other victims lie in hospital beds

These acts of anarchy cannot be tolerated in a community of orderly and decent government therefore be it

Resolved (the Senate concurring) That the Pennsylvania State Police be called upon to make a thorough investigation of the facts and circumstances of outbreaks of violence and bloodshed happening during the course of judicial proceedings and take or recommend measures designed to prevent recurrences and be it further

Resolved That the Commissioner of Pennsylvania State Police make a report to the Governor and to each House of the General Assembly before the close of its present session of his findings actions and recommendations in the matter

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION (Not Printed)

Mr. READINGER. Mr. Speaker, I call up on page 31 House Resolution (not printed) honoring Susan B. Anthony.

The resolution was read, considered and adopted as follows:

In the House of Representatives, August 30, 1955.

Susan Brownell Anthony was born at Adams, Massachusetts on February 15, 1820, the daughter of Daniel and Lucy (Read) Anthony. She was educated in a school maintained by her father for his own and neighboring children. In the years 1837-38 she attended Friends' Boarding School, West Philadelphia. Upon completion of her formal schooling at the age of fifteen years, she entered the teaching profession and taught for fifteen years.

It was during her teaching career that she realized that women were in effect "second class citizens" and she resolved that women would have equal rights. In the year 1852 she abandoned the teaching profession and organized the first woman's State temperance society in America. In 1856 she became the agent for New York State of the American Anti-Slavery Society. After 1854 she devoted her life exclusively to the cause of woman's rights. During the Civil War she was organizer and secretary of the woman's National Loyal League. From 1858 to 1870 she was proprietor of a weekly paper, "The Revolution," published in New York and edited by Mrs. Elizabeth Cody Stanton and having for its motto, "The true republic—men, their rights and nothing more; women, their rights and nothing less." She was vice-president-at-large of the National Woman Sufferage Association from the date of its inception until 1892, when she became president. In collaboration with Mrs. Elizabeth Stanton, Mrs. Matlida Gage, and Mrs. Ida Harper, she published "The History of Woman Sufferage."

Susan B. Anthony, a fighting champion of and pioneer for the rights of women until her death at Rochester New York on March 13, 1906 never gave up hope that women would some day receive the right to vote. She worked tirelessly in eight different states campaigning for a constitutional amendment enfranchising woman. Every year commencing with the year 1869 until her death, she was granted a hearing before committees of every Congress. In 1872 she was arrested and fined one hundred dollars for casting a vote in the presidential election of 1872. She contended that the 14th Amendment of the Constitution of the United States gave her such right. Since her death in 1906, February 15th, her birthday is celebrated as Susan B. Anthony day and on August 25, 1955 a special United States postage stamp was released at Louisville, Kentucky, in her honor; therefore be it

Resolved, That the House of Representaitves, in conjunction with the issuance of the special United States postage stamp honoring Susan B. Anthony, commemorate her as a fearless crusader of equal rights for woman whose pioneer efforts towards enfranchisement of women although never realized in her life time, became reality by ratification of the 19th Amendment to the Constitution of the United States.

SENATE RESOLUTION SERIAL NO. 141

Mr. READINGER. Mr. Speaker, I call up on page 31 of today's calendar Senate Resolution Serial No. 141.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE (SERIAL No. 141)

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was as follows:

In the Senate, July 26, 1955.

The 28th Infantry Division is the holder of a proud record. Some units are direct descendants of Benjamin Franklin's "Battalions of Associations" organized in 1745, while others trace unbroken lineage from the Revolutionary War.

Some units of this famous division were engaged in every war in which we, as a nation, fought.

Pennsylvania is justly proud of the 28th Division, which wes referred to by General Pershing as the "Iron Division" and called by the Germans of World War II the "Bloody Bucket Division" in acknowledgment of the fury with which the division fought.

Because of its background, the service it rendered its country and the honor it has brought to Pennsylvania, it is fitting and appropriate that legislative recognition be accorded the 28th Infantry Division; therefore be it

Resolved (the House of Representatives concurring), That United States Highway Route No. 322, extending from Chester, Pennsylvania through Meadville and Jamestown Pennsylvania, to the Pennsylvania and Ohio boundary line be dedicated as a memorial to the 28th Infantry Division and that this portion of the highway be known as the "28th Division Highway"; and be it further

Resolved. That the Department of Highways shall erect along the highway suitable tablets and markers and shall carry out suitable lanscape development to perpetuate this resolution, but shall not replace the officially designated route number of the highway hereby designated as the "28th Division Highway."

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT FROM COMMITTEE

Mr. READINGER from the Committee on Rules reported as amended, Senate Resolution Serial No. 113.

ADJOURNMENT

Mr. RUBIN. Mr. Speaker, I move that the House do now adjourn until Wednesday, September 21, 1955 at 10:00 a. m. EST.

The motion was agreed to, and (at 2:14 p. m. EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., WEDNESDAY, SEPTEMBER 21, 1955. No. 91.

HOUSE OF REPRESENTATIVES

WEDNESDAY, September 21, 1955.

The House met at 10:00 a. m. EST.
The SPEAKER (Hiram G. Andrews) in the Chair.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, September 20, 1955 will be postponed until printed. The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. WORLEY, NEEDHAM, BANKER and WARGO HOUSE BILL No. 1807.

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," extending provisions for special permits to certain disabled persons.

Referred to the Committee on Conservation and Wild Life.

By Mr. READINGER. HOUSE BILL No. 1808.

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," providing that salaries of tax collectors, their deputies, clerks and assistants in third class cities shall be considered as compensation for benefits under old-age and survivor benefits under the Federal Social Security Act and requiring certain payments by the taxing districts.

Referred to the Committee on Cities—Third Class.

By Mr. READINGER. HOUSE BILL No. 1809.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing for the release of land subdivision improvement encumbrances in certain instances.

Referred to the Committee on Judiciary.

By Mr. READINGER. HOUSE BILL No. 1810.

An Act amending the act of May 13, 1927 (P. L. 1011), entitled "A supplement to an act entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one, creating a department of city planning; providing for its organization and powers; regulating the platting of ground; prohibiting the recording of plans and sales of lots therein before their approval, under penalties; making it a misdemeanor for the recorder of deeds to record an unapproved plan; restricting accepting, laying out, opening and improving private streets; prohibiting the erection of buildings on land not abutting on public streets or streets not shown on the official master plan or an approved plat; transferring to the department of city planning powers conferred by other status over plats or subdivisions of land, the reservation of locations of mapped streets for future use and authorizing the assessment of damages for same, the preparation and compilation of an official street map; providing penalties for the violation of this act; and repealing certain statutes," providing for the release of subdivision improvement encumbrances in certain instances.

Referred to the Committee on Judiciary.

By Mr. READINGER. HOUSE BILL No. 1811.

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," providing for the release of land subdivision improvement encumbrances in certain instances.

Referred to the Committee on Judiciary.

By Mr. READINGER. HOUSE BILL No. 1812.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing for the release of land subdivision improvement encumbrances in certain instances.

Referred to the Committee on Judiciary.

By Mr. READINGER. HOUSE BILL No. 1813.

An Act amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," providing for the release of land subdivision improvement encumbrances in certain instances.

Referred to the Committee on Judiciary.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 486.

An Act relating to reciprocal agreements for the interstate transportation and support of the mentally ill.

Referred to the Committee on Welfare.

SENATE BILL No. 724.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring the payment of money withheld from State appropriations to pay default in rent to a municipality authority or nonprofit corporation.

Referred to the Committee on Education.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

Serial No. 148

In the Senate, September 19, 1955.

Bridges over the Delaware River present an ever increasing problem greatly augmented by the flow of traffic from the Pennsylvania and New Jersey turnpikes.

While the area north of and within the limits of the City of Philadelphia are being well provided for, the traffic normally bearing south of the city continues to be compelled to find a crossing through city traffic in Philadelphia or to travel further, below the City of Wilmington; therefore be it

Resolved (the House of Representatives concurring), That the Delaware River Port Authority be requested to give serious consideration to the urgent need for a bridge over the Delaware from a point in Delaware County, Pennsylvania to a point opposite in the State of New Jersey, and to that end to make an engineering survey and an exhaustive study of the traffic that could and normally would use the bridge, and to report in detail to the General Assembly at its 1957 session, the results of its survey and studies.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

LEAVES OF ABSENCE

The SPEAKER. If there are no objections, the order of business, Leaves of Absence, will be dispensed with. The Chair hears none.

STATEMENT BY SPEAKER

The SPEAKER. The Parliamentarian and the Speaker, browsing through the Legislative Journal for 1919, came across a part of the record which may be of current interest and which the Chair desires to reinsert into the record of today.

To quote the Speaker who was serving on June 12, 1919, they were in the midst of a session, a motion to adjourn was made and the Speaker proceeded to say:

> The Chair is very regretful that he has to accept a motion of this kind at this time. There is business on the calendar that the House can perfectly well transact this morning. The Chair is as regretful as any member that the members of this House do not attend the sessions on Thursday, the Chair having resorted to every means of persuasion to hold the House in session, apparently without effect, and were the Chair to take extreme measures at this time, in order to bring a quorum here, by the time a sufficient number of members were here the House would then be ready to adjourn. The Chair very much regrets that at this late season of the session the members have become so derelict and he trusts that next week there will be a fuller attendance of the members of this House. It may and, in all probability, will be necessary next week to hold a session on Friday. These appropriation bills must be taken care of, and if we do not do it to day we must do it later.

Then a very energetic gentleman arose to say:

> Mr. Speaker, I do not care if I have to sit here Saturday and Sunday, if necessary. This is the third session that I have had the honor of attending this Legislature as a member . . .

And then he goes on to relate his record of attendance and to lambast the absentees.

It simply goes to show that the problems of the House the Speaker faced in 1919 are still with us and, as I hear the Parliamentarian say in an aside, the Speaker I have just quoted was the only Speaker so far as I can recollect who was deposed from office by the House, Speaker Spangler. I do not know whether his efforts to secure attendance had anything to do with the fact that later on the House forced him from the Chair.

The Chair thanks the House for its attention.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 455, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Auhorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" eliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by an Authority

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

The SPEAKER. If there are no objections, all bills on final passage will be passed over. The Chair hears none.

APPROPRIATION BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1799 as follows:

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as is

necessary are appropriated to the Senate and to the House of Representatives for the legislative session of 1955 The sums appropriated hereby shall be in addition to any sums heretofore appropriated for the purposes

(1) To the Senate for the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic travel and discretionary charges of the President pro tempore the sum of two thousand five hundred ($2,500)

(2) To the Senate for the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic travel and discretionary charges of the Majority Floor Leader the sum of two thousand five hundred dollars ($2,500)

(3) To the Senate for the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic travel and discretionary charges of the Minority Floor Leader the sum of two thousand five hundred dollars ($2,500)

(4) To the Senate for the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic travel and discretionary charges of the Majority Whip five hundred dollars ($500)

(5) To the Senate for the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic travel and discretionary charges of the Minority Whip five hundred dollars ($500)

(6) To the House of Representatives for the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic travel and discretionary charges of the Speaker the sum of two thousand five hundred dollars ($2,500)

(7) To the House of Representatives for the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic travel and discretionary charges of the Majority Floor Leader the sum of two thousand five hundred dollars ($2,500)

(8) To the House of Representatives for the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic travel and discretionary charges of the Minority Floor Leader the sum of two thousand five hundred dollars ($2,500)

(9) To the House of Representatives for the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic travel and discretionary charges of the Minority Whip five hundred dollars ($500)

(10) To the House of Representatives for the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic travel and discretionary charges of the Minority Whip five hundred dollars ($500)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boles,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Loprestl,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1800 as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen million dollars ($15,000,000) or as much thereof as may be necesary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Asistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and administrative expenses attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-five

Section 2 Out of the moneys appropriated by Section One of this Act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards

and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by Section One of this Act there is hereby allocated to the Treasury Department the sum of one hundred fifty-seven thousand five hundred dollars ($157,500) and to the Department of the Auditor General the sum of eighty-four thousand dollars ($84,000) to pay the administrative exenses of said departments in auditing and disbursing the appropriation made by this Act

Section 4. The amount of money expended out of the appropriation made hereby shall be deducted from the general biennial appropriation to the Department of Public Assistance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Garlock,	Mahan,	Rubin,
Agnew,	Gelfand,	Markley,	Rudisill,
Amarando,	George,	Maxwell,	Sarraf,
Anderson, M. S.,	Gibb,	McCann,	Scarcelli,
Anderson, S. A.,	Gibson,	McCormack,	Schuster,
Ashton,	Goldstein,	McGee,	Sherman,
Auker,	Gramlich,	McInroy,	Sigman,
Banker,	Greenwood,	McLaughlin,	Smith, C. C.,
Barnatovich,	Guthrie,	McWherter,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Meholchick,	Snider,
Bell,	Hamilton, W. H.,	Metz,	Spencer,
Blair,	Hass,	Mihm,	Stank,
Boles,	Haudenshield,	Mikula,	Stebbins,
Bonner,	Heavey,	Miller,	Steckel,
Boory,	Helm,	Mills,	Stephens,
Bower,	Henzel,	Monroe,	Stevenson,
Branca,	Hewitt,	Moody,	Stone,
Breisch,	Hocker,	Moran,	Stoner,
Brennan, A. P.,	Holt,	Muldowney,	Strausser,
Brennan, J. J.,	Horst,	Mullen,	Stroup,
Brenninger,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Naugle,	Toomey,
Cioffi,	Kamyk,	Needham,	Varallo,
Comer,	Kehler,	Ogilvie,	Varner,
Connelly,	Kent,	Olsen,	Vaughan,
Cooper,	Kline,	O'Neil,	Verona,
Curwood,	Knecht,	Pacchioli,	Wall,
Davis,	Kolankiewicz,	Parry,	Wallace,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Kratz,	Paulhamus,	Wargo,
Dougherty,	Kromer,	Petrosky,	Waterhouse,
Down,	Kubacki,	Pettigrew,	Weidner,
Ehrgood,	Lafore,	Polaski,	Welsh,
Eilberg,	Lawyer,	Polen,	Wescott,
Erb,	Leiby,	Pomeroy,	Wheeler,
Eshleman,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Pursley,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Filo,	Light,	Reibman,	Wilt,
Flint,	Limper,	Reidenbach,	Wood,
Floyd,	Lippincott,	Renwick,	Worley,
Flynn,	Lopresti,	Rigby,	Yetzer,
Foster,	Lovett,	Rosen,	Young,
Frascella,	Lutty,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Cochran,	Frost,	Kooker,	Moscrip,
Fineman,	Guss,	McKeever,	Yetter,
Frank,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 115, Printers No. 924

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 154 as follows:

An Act amending the act of May two one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the closing of court houses and other county offices on Saturdays

On the question,

Will the House agree to the bill on third reading?

Mr. ZIEGLER. Mr. Speaker, I ask uanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 551.1) page 2, line 5 by inserting after "pleas": "and the orphan's court".

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

The SPEAKER. If there are no objections, all the remaining bills on the third reading calendar will be passed over in their order. The Chair hears none.

RESOLUTION

SENATE RESOLUTION SERIAL No. 113

Mr. READINGER. Mr. Speaker, I call up on page 21 today's calendar, Senate Resolution Serial No. 113.

The resolution was read, considered and adopted as amended as follows:

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

SENATE SERIAL No. 113.

In the Senate, March 1, 1955.

The Pennsylvania Training School at Morganza is

purportedly reminiscent of ancient and generally outmoded practices in its treatment of female prisoners

Recent reports from reputable sources state that the girls at Morganza are confined in cells with inadequate heating clothing food and no toilet facilities Conditions such as these are certainly not in furtherance of the new and enlightened concepts of training school techniques which our Commonwealth has adopted and therefore it appears an investigation is necessary to ascertain the truth of these reports and to determine how these conditions can be best remedied

These charges cast reflections upon the integrity of all public officials and must create serious doubts and grave apprehensions among the people concerning the good conduct of our government An immediate impartial investigation of these charges is necessary in order to remedy these conditions if true or to protect the good name of public officials and institutions if false

In order to aid in the development of the program of this administration in cooperation with and approved by the Department of Welfare for the enlightened treatment cure and rehabilitation of these unfortunate patients therefore be it

Resolved (if the House of Representatives concurs) that in the interest of fair play the President Pro Tempore of the Senate appoint six members of the Senate three of whom shall be Republicans and three Democrats and the Speaker of the House of Representatives appoint six members of the House three of whom shall be Republicans and three Democrats who together shall constitute a Joint Commission and be authorized and directed to make an immediate investigation of all the charges made and to hear all suggestions of an enlightened and progressive program for the proper operation of this institution

The Committee shall have the power to issue Subpoenas under its hand and seal requiring and commanding any person or persons to appear before them and answer questions touching matters properly being inquired into and to produce such books papers records and documents as the committee may deem necessary Such Subpoenas shall have the force and effect of Subpoenas issued out of the Courts of this Commonwealth The committee shall have the power to administer oaths and affirmations to witnesses appearing before them Any person who shall willfully neglect or refuse to testify before the committee or to produce books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases and be it further resolved that the committee make a report of its findings together with its recommendations for appropriate legislation at the earliest posible date before the adjournment of this session of the General Assembly

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 406.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 20, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 406, Printer's No. 862, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments board scommissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' further prescribing the qualifications of members of the State Board of Chiropractic Examiners."

GEORGE M. LEADER.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 1339, 1522, 1523 and 1524.

ADJOURNMENT

Mr. ZIEGLER. Mr. Speaker, I move that this House do now adjourn until Monday, September 26, 1955 at 3:30 p. m. EST.

The motion was agreed to, and (at 10:25 a. m. EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., MONDAY, SEPTEMBER 26, 1955. No. 92.

SENATE

MONDAY, September 26, 1955.

The Senate met at 2:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. HUMPHREY E. CAPUTO, Instituto San Francisco, Tegucigalpa, Honduras, Central America, offered the following prayer:

O Almighty Father and Creator of the human race, Prime Possessor of reason, wisdom and truth, Model of righteousness and justice itself, Legislator Supreme, look down upon these Thy humble servants and ministers of the people of the Commonwealth of Pennsylvania. Let order reign supreme in our deliberations; let right reason be the guide of our thoughts; let the common good, not personal gain nor political ambition, be our aim. As there is but one truth and one way, let all our labors tend towards Thy honor and Thy glory. Let our human legislation be modeled faithfully upon the dictates of the divine law, as we are modeled to Thy image and likeness.

We are human and recognize our bent toward error. We, therefore, beseech Thee, our heads lowered in humble prayer, to overlook our short-comings and guide our every effort towards the proper end for the common good.

And especially in these days when the whole world seems to be concerned about the state of health of our President, Dwight David Eisenhower, we ask Thee for his complete recovery and speedy return to the active duties of his office.

God, bless all of us. We are so in need of Thy blessings. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. MAHANY and Mr. PECHAN, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR
REFERRED TO COMMITTEE

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Hill, R. D. 2, Montoursville, Lycoming County, for appointment as Justice of the Peace in and for the Township of Upper Fairfield, Lycoming County, to serve until the first Monday of January, 1956, vice John A. Fisher, resigned.

GEORGE M. LEADER.

MEMBERS OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Allegheny County Board of Assistance:

Dr. W. R. Vivrett (Dem.), East End Christian Church, 6002 Alder Street, Pittsburgh 6, to serve until December 31, 1956, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Jessie M. Vann (Rep.), Fourteenth Street, Oakmont, to serve until December 31, 1957, and until her successor is duly appointed and qualified (Reappointment)

Stanton C. Crawford (Rep.), Dean, College of Arts and Sciences, University of Pittsburgh, 1801 Cathedral of Learning, Pittsburgh 13, from January 18, 1954, until December 31, 1955, and until his successor is duly appointed and qualified.

William J. McCafferty (Dem.), 1112½ Chartiers Avenue, McKees Rocks, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Donald B. Hirsch, Esq., Pittsburgh, whose term expired.

Dr. Florence L. Marcus (Dem.), 3939 Penn Avenue, Pittsburgh 24, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Mrs. Mayme Hubbard. Verona, whose term expired.

Everett E. Utterback, Esq. (Dem.), 200 Ross Street, Pittsburgh to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice George V. Lang, Pittsburgh, whose term expired.

Edward A. Feigenbaum (Rep.), 4627 Baum Boulevard, Pittsburgh 13, to serve until December 31, 1956, and until

his successor is duly appointed and qualified, vice Mrs. Gladys Hess, Tarentum.

Mrs. Sarah Limbach (Dem.), 66 Riverview Avenue, N. S., Pittsburgh, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice C. A. Leeming, Munhall, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry M. Heffner, R. D. 1, Fleetwood, Berks County, for appointment as Justice of the Peace in and for the Township of Ruscombmanor, Berks County, to serve until the first Monday of January 1956, vice Paul H. Knabb, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Somerset State Hospital, for the term of four years and until their successors are appointed and qualified:

Ward W. Crist, Windber, Somerset County, from September 24, 1954.

Dr. George F. Wheeling, Windber, Somerset County (Reappointment).

Mrs. Katherine W. Parshall, 58 Nassau Street, Uniontown, Fayette County (Reappointment).

Paul A. Young, 344 Bedford Street, Bedford, Bedford County, vice P. J. Spangler, Bedford, resigned.

Mrs. Marian B. Rider, Perryopolis, Fayette County, vice Frank W. Black, Dickerson Run, removed from office.

John Philson, Jennerstown, Somerset County, vice B. F. Walters, Somerset, removed from office.

George Scull Cook, Somerset, Somerset County, vice Mrs. Clara McKenzie, Meyersdale, removed from office.

E. W. Troll, Jr., Somerset, Somerset County, vice Norman A. Shaulis, Esq., Somerset, removed from office

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Hollidaysburg State Hospital, for the term of four years and until their successors are appointed and qualified:

Homer I. Smith, 809 Penn Street, Hollidaysburg, Blair County, vice Miss Mary G. Kilday, Altoona, resigned.

Rev. J. P. Flynn, Newry, Blair County, vice Charles G. Waple, Tyrone, resigned.

Carl C. Manchester, 1206 Walnut Street, Hollidaysburg, Blair County, vice Mrs. Wilma N. Kerr, Martinsburg, removed from office.

John Horon, 719 East Walton Avenue, Altoona, Blair County, vice George W. Williams, Hollidaysburg, resigned.

William R. Klevans, 915 Franklin Street, Roaring Spring, Blair County, vice Abraham Colbus, Esq., Altoona, resigned.

James E Blatchford, 1317 Eleventh Avenue, Altoona, Blair County, vice John G. Love, Esq., Bellefonte, resigned.

Robert I. Grove, Main Street, Alexandria, Huntingdon County, vice Robert L. Harpster, Warriors Mark, resigned.

John K. Manock, Bedford, Bedford County, vice Maurice F. Clouse, Waterside, removed from office.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Allentown State Hospital, for the term of four years and until their successors are appointed and qualified:

Maxwell A. Coleman, 2051 West Livingston Street, Allentown, Lehigh County, vice Hon. Henry G. Sweney, Chester, resigned.

Wilfred Fritchman, 524 North Lafayette Street, Allentown, Lehigh County, vice Howard M. Singmaster, Macungie, whose term expired.

GEORGE M. LEADER.

WORKMEN'S COMPENSATION REFEREE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James E. Ross, 480 Fair Avenue, Beaver, Beaver County, for appointment as a Workmen's Compensation Referee, to serve until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified, vice William Coghlan, Esq., Beaver, removed from office.

GEORGE M. LEADER.

MEMBER OF THE DELAWARE RIVER STUDY COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice K. Goddard, Secretary of Forests and Waters, State College, Centre County, for appointment as a member of the Delaware River Study Commission, to serve until terminated.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Mains, Eighth Avenue, Sutersville, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of Suterville, Westmoreland County, to serve until the first Monday of January 1956, vice Robert D. Rae, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Woodrow W. Brown, 1404 Race Street, Williamsport, Lycoming County, for appointment as Justice of the Peace in and for the Township of Old Lycoming, Lycoming County, to serve until the first Monday of January 1956, to fill a vacancy.

GEORGE M. LEADER.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 662, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law" empowering nonprofit corporations to transfer their property and assets in trust.

Which was committed to the Committee on Judiciary General.

House Bill No. 1501, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey real property situate in the Borough of West Chester, Chester County.

Which was committed to the Committee on State Government.

House Bill No. 1589, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "Administrative Code of 1929," changing the names of the general hospitals.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1590, entitled:

An Act amending the act of June 19, 1939 (P. L. 438), entitled "An act declaring certain restricted State hospitals to be general hospitals, and, within the limitations of their individual facilities, open for the treatment, of patients and cases which other general hospitals, may treat," changing the names of the general hospitals.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1593, entitled:

An Act regulating waste disposal areas in certain parts of the Commonwealth; providing for permits; placing duties upon the Department of Mines; and imposing penalties.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1613, entitled:

An Act to further amend section 1 of the act, approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by requiring every title insurance or trust company, bank and trust company or trust company to compute and pay the State tax on shares of capital stock when making reports and extending the date for making such reports.

Which was committed to the Committee on Bnaking.

House Bill No. 1617, entitled:

An Act amending the act of July 11, 1917 (P. L. 769), entitled "An act to regulate the importation into the State of Pennsylvania of dependent, delinquent, or defective children; and providing a penalty for the violation thereof," authorizing use of forfeited bond for the further placing of children.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1650, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1674, entitled:

An Act making an appropriation to the Department of Welfare for the two fiscal years beginning June 1 1955 to assist in the payment of the operation and maintenance by the Trustees of the Mercy-Douglass Hospital of the addition to Philadelphia State Hospital constructed by The General State Authority

Which was committed to the Committee on Appropriations.

House Bill No. 1721, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds, property and investments held in a fiduciary capacity.

Which was committed to the Committee on Banking.

House Bill No. 1725, entitled:

An Act relating to the use of conveyor belts in coal mines, providing for the safety of persons employed therein, and the protection of property connected therewith, conferring powers and imposing duties upon the Department of Mines and prescribing penatlies.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1726, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," further regulating regular meetings of boards of directors.

Which was committed to the Committee on Banking.

House Bill No. 1734, entitled:

An Act amending the act of July 15, 1935 (P. L. 1034), entitled "An act requiring operators of anthracite coal mines to report shipments to the Department of Mines," changing the time for filing reports.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1746, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

Which was committed to the Committee on Appropriations.

House Bill No. 1752, entitled:

An Act amending the act of June 9, 1911 (P. L. 756), entitled "Bituminous Coal Mining Law," changing applicability of act and the requirement of a mine foreman in small mines.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1783, entitled:

An Act to provide for the ordinary expenses of the Department of Health for two years beginning June first, one thousand nine hundred fifty-five.

Which was committed to the Committee on Appropriations.

House Bill No. 1799, entitled:

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955.

Which was committed to the Committee on Appropriations.

House Bill No. 1800, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-five.

Which was committed to the Committee on Appropriations.

SENATE CONCURRENT RESOLUTION, SERIAL No. 113, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Concurrent Resolution, Serial No. 113, with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

The Clerk read the resolution as follows:

JOINT COMMITTEE TO INVESTIGATE PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

In the Senate, March 1, 1955.

The Pennsylvania Training School at Morganza is purportedly reminiscent of ancient and generally outmoded practices in its treatment of female prisoners.

Recent reports from reputable sources state that the girls at Morganza are confined in cells with inadequate heating, clothing, food and no toilet facilities. Conditions such as these are certainly not in furtherance of the new and enlightened concepts of training school techniques which our Commonwealth has adopted and, therefore, it appears an investigation is necessary to ascertain the truth of these reports and to determine how these conditions can be best remedied.

These charges cast reflections upon the integrity of all public officials and must create serious doubts and grave apprehensions among the people concerning the good conduct of our government. An immediate impartial investigation of these charges is necessary in order to remedy these conditions if true or to protect the good name of public officials and institutions if false.

In order to aid in the development of the program of this administration, in cooperation with and approved by the Department of Welfare, for the enlightened treatment cure and rehabilitation of these unfortunate patients therefore be it

Resolved (if the House of Representatives concurs), That in the interest of fair play the President Pro Tempore of the Senate appoint six members of the Senate, three of whom shall be Republicans and three Democrats and the Speaker of the House of Representatives appoint six members of the House, three of whom shall be Republicans and three Democrats, who together shall constitute a Joint Commission and be authorized and directed to make an immediate investigation of all the charges made and to hear all suggestions of an enlightened and progressive program for the proper operation of this institution.

The Committee shall have the power to issue Subpoenas under its hand and seal requiring and commanding any person or persons to appear before them and answer questions touching matters properly being inquired into and to produce such books, papers, records and documents as the committee may deem necessary. Such Surpoenas shall have the force and effect of Subpoenas issued out of the Courts of this Commonwealth. The committee shall have the power to administer oaths and affirmations to witnesses appearing before them. Any person who shall willfully neglect or refuse to testify before the committee, or to produce books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases and be it further resolved that the committee make a report of its findings, together with its recommendations for appropriate legislation, at the earliest possible date before the adjournment of this session of the General Assembly.

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE CONCURRENT RESOLUTION, SERIAL No. 113

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Concurrent Resolution, Serial No. 113.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE CONCURRENT RESOLUTION No. 99 REFERRED TO COMMITTEE

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Rules:

JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF LEGISLATIVE PRINTING

In the House of Representatives, June 28, 1955.

Whereas, Adequate and promptly available printing is essential to the proper functioning of the General Assembly; and

Whereas, In the interests of economy, such printing should be supplied at the lowest possible cost to the taxpayer; and

Whereas, Legislative printing has not been re-evaluated since the Joint State Government Commisison reports of 1941 and 1947; therefore be it

Resolved (the Senate concurring) That the Joint State Government Commisison be directed to make a thorough and exhaustive study of the entire subject of legislative printing and report its findings and recommendations to the next regular session of the General Assembly, together with drafts of legislation necessary to implement the same.

HOUSE CONCURRENT RESOLUTION No. 108 REFERRED TO COMMITTEE

He also presented extract from the Journal of the House of Representatives, which was twice read as follows and referred to the Committee on State Government:

PENNSYLVANIA STATE POLICE TO THOROUGHLY INVESTIGATE THE OUTBREAKS OF VIOLENCE DURING THE COURSE OF JUDICIAL PROCEEDINGS

In the House of Representatives, August 3, 1955.

Within a period of less than two years the quiet dignity of two court rooms in Pennsylvania has resounded to the crack of the assassin's gun, and a judge in the midst of the performance of his duty lay dead and another severely wounded. The career of a promising young attorney has been cut off before its prime, and other victims lie in hospitals beds.

These acts of anarchy cannot be tolerated in a community of orderly and decent government; therefore be it

Resolved (the Senate concurring), That the Pennsylvania State Police be called upon to make a thorough investigation of the facts and circumstances of outbreaks of violence and bloodshed happening during the course of judicial proceedings and take or recommend measures to prevent recurrences; and be it further

Resolved, That the Commissioner of Pennsylvania State Police make a report to the Governor and to each House of the General Assembly before the close of its present session of his findings, actions and recommendations in the matter.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

DIRECTING U. S. ROUTE 322 TO BE DESIGNATED AS THE "28TH DIVISION HIGHWAY"

In the Senate, July 26, 1955.

The 28th Infantry Division is the holder of a proud record. Some units are direct descendants of Benjamin Franklin's "Battalions of Associations" organized in 1746, while others trace unbroken lineage from the Revolutionary War.

Some units of this famous division were engaged in every war in which we, as a nation, fought.

Pennsylvania is justly proud of the 28th Division, which was referred to by General Pershing as the "Iron Division" and called by the Germans of World War II the "Bloody Bucket Division" in acknowledgment of the fury with which the division fought.

Because of its background, the service it rendered its country and the honor it has brought to Pennsylvania, it is fitting and appropriate that legislative recognition be accorded the 28th Infantry Division; therefore be it

Resolved (the House of Representatives concurring), That United States Highway Route No. 322, extending from Chester, Pennsylvania through Meadville and Jamestown Pennsylvania, to the Pennsylvania and Ohio boundary line be dedicated as a memorial to the 28th Infantry Division and that this portion of the highway be known as the "28th Division Highway"; and be it further

Resolved, That the Department of Highways shall erect along the highway suitable tablets and markers and shall carry out suitable landscape development to perpetuate this resolution, but shall not replace the officially designated route number of the highway hereby designated as the "28th Division Highway."

HOUSE CONCURS IN SENATE BILL No. 267

He also returned to the Senate, Senate Bill No. 267, entitled:

An Act amending the act of June 24, 1939 (P. L. 746), entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons, and validating the acquittance: of such minors and validating the acquittances of either person in a joint account, under certain conditions; and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee," further outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 277

He also returned to the Senate, Senate Bill No. 277, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribig the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating

the law relating to the care of the poor; and repealing existing laws," further providing for the administration of the fiscal affairs of the county institution districts in counties of the third to eighth classes, regulating the making of contracts and purchases authorizing such districts to take by gift, grant, devise or bequest money and property and conferring powers and imposing duties on county commissioners, county treasurers, county controllers and county auditors.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 456

He also returned to the Senate, Senate Bill No. 456, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," conferring exclusive jurisdiction on certain courts over service.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 459

He also returned to the Senate, Senate Bill No. 459, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment, and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," clarifying the provisions of the act as to the aggregate amount of taxes any political subdivision may levy during a fiscal year, and extending certain temporary provisions relating thereto; providing for the publication of notices concerning certain tax ordinances and resolutions; and permitting the imposition of taxes free from certain restrictions prescribed by existing law.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 508

He also returned to the Senate, Senate Bill No. 508, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," requiring directors of departments to prepare and submit quarterly reports to the Directors of the Department of Accounts and Finance.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 603

He also returned to the Senate, Senate Bill No. 603, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," authorizing the sale of surplus farm products and other personal property.

with the information that the House has passed the same without amendments.

SENATE BILL No. 262 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 262, entitled:

An Act amending the act of May 26 1949 (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committeees trustees and other fiduciaries except person representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" authorizing fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 12, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Norman Snyder, Esq., 905 Mt. Holyoke Place, Swarthmore, Delaware County, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, for the term of four years, and until his successor is appointed and qualified, vice Louis Kapelski, Chester, removed from office.

GEORGE M. LEADER.

MEMBER OF PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 2, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leonard Spear, Esq. (Dem.), 5848 Hadfield Street, Philadelphia, Philadelphia County, for appointment as a member of the Philadelphia County Board of Assistance, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Charles D. Smeltzer, Philadelphia, resigned.

GEORGE M. LEADER.

MEMBER OF THE PUBLIC SERVICE INSTITUTE BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Col. E. J. Henry, 2400 Market Street, Harrisburg, Dauphin County, for appointment as a member of the Public Service Institute Board, for the term of four years, and until his successor is qualified, vice Col. C. M. Wilhelm, Harrisburg, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John D. Evans, 820 North Juniata Street, Hollidaysburg, Blair County, for appointment as Justice of the Peace in and for the Borough of Hollidaysburg, Blair County, to serve until the first Monday of January 1956, vice Harry D. Soyster, deceased.

GEORGE M. LEADER.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 29, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Florence Goldman, Esq., 234 Jerusalem Avenue, Levittown, Nassau County, New York, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New York, for the term of five years, to compute from the date of confirmation.

GEORGE M. LEADER.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 29, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis Gould, 3000 Pacific Avenue, Wildwood, New Jersey, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New Jersey, for the term of five years, to compute from the date of confirmation.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Politza, 907 Spruce Street, Kulpmont, Northumberland County, for appointment as Justice of the Peace in and for the Borough of Kulpmont, Northumberland County, until the first Monday of January 1956, vice Victor A. Avellino, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Cornelius de Groot, Revere, Bucks County, for appointment as Justice of the Peace in and for the Township of Nockamixon, Bucks County, to serve until the first Monday of January 1956, vice Joseph M. Fink, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SCRANTON STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Scranton State Hospital, for the term of four years and until their successors are appointed and qualified:

James B. Rosenfeld, 830 North Webster Street, Scranton, Lackawanna County, vice John B. McDade, Scranton, resigned.

Rev. Clewell Ottinger, 735 Prescott Avenue, Scranton, Lackawanna County, vice Rev. Fryderyk S. Banas, Dickson City, resigned.

Thomas J. Dempsey, 1328 Madison Avenue, Scranton, Lackawanna County, vice William K. Frew, Taylor, resigned.

James Nocera, 131 Second Street, Old Forge, Lackawanna County, vice Henry Ventre, Old Forge, resigned.

John Stirna, 141 School Street, Scranton, Lackawanna County, vice William A. Schneider, Sr., Scranton, resigned.

Prof. Michael E. Howard, 2402 Boulevard Avenue, Scranton, Lackawanna County, vice Morris Goodman, Scranton, resigned.

Vincent Yuskiewicz, 1009 South Wyoming Avenue, Scranton, Lackawanna County, vice Edwin Williams, Jr., Scranton, resigned.

Daniel J. Galvin, Park Gardens, Scranton, Lackawanna County, vice John M. Burke, Carbondale, resigned.

Joseph Krempasky, Jessup, Lackawanna County, vice Frank Summa, Jr., Dunmore, resigned.

GEORGE M. LEADER.

REPORT FROM COMMITTEE

Mr. PROPERT, from the Committee on Banking, reported as committed House Bill No. 1721, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors. trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds, property and investments held in a fiduciary capacity.

BILLS INTRODUCED AND REFERRED

Messrs. PECHAN and DENT read in place and presented to the Chair Senate Bill No. 762, entitled:

An Act to further amend the act approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof"; by changing restrictions relative to certain employments.

Which was committed to the Committee on Public Health and Welfare.

Messrs. VAN SANT and HAYS read in place and presented to the Chair Senate Bill No. 763, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and local claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," requiring electric windshield wipers on certain motor vehicles.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, on August 29, Senator Dent, the Minority Leader of the Senate, introduced Senate Bill No 727, which provided for the reduction of speed on all highways of the Commonwealth to fifty miles per hour, unless those highways had a medial barrier. Since that time, there has been a great deal of editorial and other newspaper comment. I think the folks who use the turnpike, and other citizens of Pennsylvania, have been very much concerned about the moves that should be made by the Pennsylvania Turnpike Commission in order to make this the safest highway in the world.

Then, too, Mr. President, I think perhaps we build a little prejudice against this fine highway because of the fact that we do not have comparative figures on the automobile miles traveled on the turnpike against the mileage on other highways. I have gathered for the committee, and other members of the committee have contributed, some information which would be interesting and helpful in the treatment of this matter.

For instance, in 1954 there were two fatalities that had to do with the twelve miles of medial barrier then constructed, or the fatalities per mile of barrier would be .17. In 1955, there were then fourteen miles of medial barrier and there were two fatalities and the fatalities per mile of barrier would be .14. These rates would become alarming when it is considered that they represent only one type of fatal accident. To date, the exposure to driving along medial barriers on the system is, of course, limited. When we consider the possibility of medial barriers throughout the entire system and extend these figures accordingly, the following figures develop:

In 1954, approximately twelve miles of medial barrier were erected on the Pennsylvania Turnpike. Two persons were killed in collisions with this barrier. Extending this frequency-rate based on exposure, we would expect fifty-four persons to have been killed through collisions with medial barriers alone, had the barrier existed throughout the system.

In 1955, to date, approximately fourteen miles of medial barrier exist on the system. Two persons have been killed in collisions with this barrier so far this year. Extending this frequency rate per mile of barrier exposure, we would expect seventy-seven persons to be killed for the whole year in collisions with the medial barrier alone, if the barrier had extended the entire system.

Mr. President, so far this year, there have been sixty-one fatalities on the turnpike, which is alarming, I agree. There are, however, a number of projects less expensive than the steel barrier strip which I am convinced can make a dramatic improvement in the safety record of our super highway. It is interesting, indeed, to receive through the mail many, many suggestions as to what kind of a barrier might be erected. One is the use of discarded casings from oil wells. Another makes the suggestion that we plant trees in the midlle, between the two highways. That, we would all agree, would take many years before the trees would grow enough to stop vehicles crossing the medial barrier. Another suggestion is to plant rose bushes of a particular type that vine in long branches, perhaps thirty or more feet long, which would form a very entangling arrangement which would separate the traffic; and some say, a very strong arrangement. However, I would not fancy riding on the left side and having the window open with my arm outside when we run into those rose bushes. The third is the construction of wood, alone, which would break in case it was hit hard enough, but would be strong enough to stop the vehicle that was directed across.

Another thing, Mr. President, is that radar can be used with great effect, as experiments testify, either as a legally accepted instrument for speed control or as a psychological deterrent to reckless driving. I have seen this device in operation on a road right near Harrisburg. I have examined charts showing behavior of drivers before and after radar speed check signs were erected. The results are amazing. Here are some statistics based on Turnpike and State Police records:

In 1953, practically no radar was in use on the turnpike and ninety-one persons were killed.

In 1954, State Police used radar on a limited psychological basis, and the death toll was cut by forty over the previous year. Fifty-one were killed; ninety-one the previous year.

In 1955, the police used radar on a limited basis for only a few months, and the death toll was cut to sixty-one. Of the sixty-one killed so far this year, thnrty-nine per cent lost their lives in medial strip accidents. But in 1954, when radar was in use all year, only seventeen per cent of the fatalities resulted from crashes involving someone crossing the medial strip. Tracks indicate hundreds of crossovers who returned to regular traffic without hurting themselves or others. There are no records to substantiate that statement. We simply are taking the word of the State Police on the turnpike who see tracks of many who crossed the medial strip and apparently got back into the right lane of traffic without mishap.

Mr. President, our present Pennsylvania Motor Code requires that a policeman follow a speeder for a quarter of a mile. Hence, radar, which clocks the speed of a passing vehicle instantaneously, cannot be used to make speeding arrests until the law is changed. All our police can do is to flag down a speeder detected by radar, tell him how fast he was moving and warn him about the law, but police say only two per cent of those thus warned are picked up as repeat violators.

Radar, of course, is not the only thing that can be used to save lives on the turnpike. I have introduced a bill calling for the employment of about twenty per cent more State Police than we have at present. It would be my hope that many of these men could be assigned to Turnpike duty, thus bringing the number of police on our Turnpike System per mile more in line with the number per mile employed on the New Jersey Turnpike. It would seem to me that those officers, as well as the toll gate employees, might well be instructed to screen carefully the vehicles which are admitted to the turnpike. Too many cars with bald tires, faulty lights and other obvious faults are seen on the roads every day. More police, better enforcement and education on speeding, and some attention to the condition of vehicles which use the pike should certainly help to save lives.

Mr. President, certainly this matter is one which takes too many lives entirely. We do not know this to be a fact, but the rate of fatalities is not perhaps as high on the turnpike as it is on the other highways. However, we want to pursue this thing, and I am sure that Senator Dent is interested in pursuing this, also, to its ultimate conclusion that a beneficial effect can be had on the mortality rate on the turnpike.

Therefore, Mr. President, on behalf of my colleagues, Senator Dent, Senator Whalley, Senator Mahany and myself, I am introducing this bill which provides for the compulsory construction of medial strip on the turnpike in four different periods of six months each.

BILL INTRODUCED AND REFERRED

Messrs. WADE, DENT, WHALLEY and MAHANY read in place and presented to the Chair Senate Bill No. 764, entitled:

An Act requiring the Pennsylvania Turnpike Commission to erect medial barriers or guards in specified stages on existing turnpikes.

Which was committed to the Committee on Highways.

PERSONAL PRIVILEGE

Mr. McGINNIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny, Mr. McGinnis, will state his question of personal privilege.

Mr. McGINNIS. Mr. President, there is no bill on the floor at this time concerning safety on the turnpike. I am not sure that it is a good thing to have statements made here on this floor knocking the turnpike. It has been knocked by some people ever since it was built.

I have said a number of times on this floor that the turnpike is the safest highway on earth today, and the figures show it. I was glad to hear Senator Wade say that there are less accidents on the turnpike than on the other highways.

Mr. President, I do not blame Senator Wade and Senator Dent for trying to make the turnpike safer, but the other day I heard the members of the Turnpike Commission, who were not sworn, state this, that a barrier

the whole length of the highway would make it worse and would kill more people. They said, as I remember it, the accidents they have, where the cars shoot clear across the Turnpike, amount to only eight per cent of the total. The biggest worry is cars bumping each other. Thirty-five per cent of the accidents were caused by cars piling up one behind the other. The members of the Turnpike Commission said that if you have a barrier the entire length of the turnpike and a fellow goes to sleep, which is what usually causes him to cross over, then he will pile up along this barrier and maybe there will be a half dozen cars pile up behind him. They also said it would make it more unsafe to build a barrier the entire length of that highway.

Mr. President, there are other sections in this State that want to build turnpikes and I think that they ought to be encouraged.

I know the statements made on this floor will be taken up and eaten up by the newspapers. You will find tomorrow stories and editorials all over the State of Pennsylvania about our turnpike. I do not think that it is a good thing to expose facts when they are not, maybe, correct.

Mr. President, the members of the Turnpike Commission have made a study of this turnpike, much more than we have. I heard every member of the commission, when they were over here the other day, say that this division would make it more dangerous and cause more accidents than there would be without the barrier.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I desire to read into the record a short letter which I received on Friday. I am quoting from this letter, which is dated September the 22nd, 1955:

"Somerset Community Hospital
"Somerset, Pennsylvania
"Dear Senator Dent:

"On Wednesday, September the 14th, an article appeared on the front page of the Somerset Daily American which interested me very much. It was an article stating that the Senate Highways Committee had rejected a proposal that medial barriers be requied along the full 360 mile length of the Pennsylvania Turnpike.

"On September the 5th, my wife and I were the innocent victims of this road, and I am told—and we thank God for this—that we were both extremely lucky to survive such a headon collision with both cars going about fifty miles an hour.

"Recuperating here in the hospital, it gives one very little consolation to know that the other car-driver was at fault since he was the one out of control and crossed the medial strip, hitting our car. For this reason, I was somewhat disappointed to read that the proposed legislation had been turned down for the time being. The article mentioned that you were appealing for further consideration, and for this I am deeply appreciative. Sitting in bed, I have given the problem a great deal of study and say to you that although this medial barrier may be expensive, It is certainly less expensive than days spent in hospitals and eternity spent in graveyards."

Mr. President and Members of the Senate, statistics can be altered and statistics can be used by those who want to use them. To say that there would be eighty deaths on the turnpike if the medial barrier were in full length, because there were two deaths on twelve miles, is just as silly as to say that when four people walk out the front steps of the capitol and there was a fault on one of the steps and one of them fell and broke a leg, that if forty of them walked out, ten of them would break a leg.

It does not hold true that you can multiply the accidents, and the constancy of accidents, by saying that if a certain number does this, another number will do this. The fact that people are being killed innocently is the only item of interest to this group; that you are helpless, that an innocent person's life is snuffed out because some one else has been careless, perhaps, or has tried to drive too far. In this connection it might be interesting to note that the Ohio Turnpike is being opened and being heralded as the safest road in the world. Now that is taking from us the record which Senator McGinnis claims for the Pennsylvania Turnpike.

It may also be interesting to note at this time that Ohio has not gone into the monopolistic patronage that we have in Pennsylvania. They have sixteen restaurants and they are under four different restauranteurs. They have sixteen gasoline depots, and they are under six different gasoline companies and they are going to allow competition. The Ohio Turnpike has the absolute right over the sizes of the portions to be served, over the prices of the gasoline to be charged and over the amount of money to be charged in the restaurants for the services. You can bet your life that no one will walk into those restaurants and pay twenty cents for a five-cent ice cream cone.

Mr. President, I want to tell all of you right now that if you do not think it is a ridiculous situation, just stop in some day and wait forty-five minutes to get service in one of our Pennsylvania Turnpike stations, and it is not because of crowding. It is because of the blind policy of trying to push all of the customers into one place so that they can get the maximum of labor out of the waitresses in the restaurants and out of the attendants at the gasoline stations. I waited forty-five minutes for gasoline last week going home, and I went home on a Friday afternoon.

Mr. President, it is all right to talk about these things and say that we are condemning. No one is condemning the members of the Turnpike Commission, but it is the duty of this Legislature to see to it that a creature which we created does not grow out of bounds and does not become so powerful that we cannot even say to it, "This is what the Legislature thinks."

This gentleman lying in the hospital does not agree with the men who say that turnpike barriers are a danger and a hazard. Perhaps they may prove to be that way; I do not know. I only know this, that when I am traveling on that turnpike and I see coming towards me a Juggernaut of steel at a speed of seventy, ninety or one hundred miles an hour, I am pretty darn nervous. When that little safety barrier is there, it at least lessens the tension.

Mr. President, some one said in the hearings the other day, which was reported to me, that if you put the steel barriers on the turnpike it will cause claustrophobia

and the person would feel hemmed in. This was said at the hearing, Senator. Now, if on a fifty mile right-of-way, a two and a half foot fence causes you to have claustrophobia, you will have to jump out of your car when you get to the turnpike tunnels because the tunnels are completely closed over, and when you get there you would have to crawl out of the window. I do not know how you could ever survive through that.

I think that the Turnpike Commission is doing some things to try to help safety. I talked to one of the members, and he tells me that they are now making a study of lighting up the tunnels. Why, I have been in coal mines in Westmoreland County that are better lit up than those tunnels. When you come in out of the bright light, it is absolutely a hazard to go into those tunnels. On a bright day or on a snowy day when you come in out of the glare of the snow, it takes you half way through the tunnel before your eyes become accustomed to the darkness. The commission recognizes that, and that has been the condition since it was built, and these new members on there are trying to do something about it.

They are trying to lighten the interiors of the turnpike tunnels, and they are not so set against putting up the barriers. I will tell you who is set against it, the bondholding control, who tell the turnpike how much money they can spend, where they can spend it; who forced the issue on the stations and who forced them to close down stations. They said that the stations were hazardous. We move mountains in this Country with the equipment that we have and if they have the mountains and they have to move them in order to make room for parking, they can do it. They have enough money in the till right now to pay their bond payments for the next seven years. I do not know whether or not it is a good thing or it is not a good thing, but it is certainly worth a try.

They ought to put barriers on one stretch. Senator Whalley and I put in a bill a long time ago, asking them to put a barrier on a specified stretch which is dangerous and they know it is dangerous. The frequency of accidents has proven it to be dangerous. If one of you want to try it some time, just pull over into that berm. They are learning to stabilize it.

Senator McGinnis, you may not know this, but we made a study of the safety on the turnpike and we were very kind to them, because the things that we heard at that study we turned over to them and they fought very, very stubbornly against even stabilizing the center of the turnpike, the medial strip between the two opposing lanes. However, right now, after three and a half years, they are now stabilizing it to a firmness of concrete in all of the medial strip which is between Somerset and, I understand, Bedford. Now if it is good for that stretch, then it must be good for other stretches. When we recommended that, they laughed at us and said that we did not know what we were talking about; that they could not do it because of drainage. Well, what has happened in three and one half years is that they are now doing the very thing that we recommended three and a half years ago.

Mr. President, I say that there will come a day when two things have to happen in this Country of ours. One is that opposing lanes of traffic, on high speed roads, must be separated either by a wide medial strip of sixty feet like the Ohio Turnpike or a prominent-type safety barrier. The second thing that will have to happen is that we, in the various States, will have to pass legislation outlawing 285 horsepower motors, outlawing those automobiles which go beyond the speed of even most of the commercial airplanes which travel today. You go out here and buy a Piper Cub and its cruising is 128 miles an hour. I will take anybody in this room who wants to ride with me, and with police protection and immunity from the Revenue department, on that Turnpike in my car and if I do not have you in seven minutes up to 125 miles an hour, I will give you the title to the automobile. If the newspaper men will ride with me, I would love to have them. because if anything should happen at least I would know that I would be in good company, and when we get to that great divide, I would hate to say goodby as they go below.

Mr. President, in all seriousness, no matter what we do on the turnpike, no matter how many barriers we build, if we allow the automobile manufacturers to keep adding horsepower to the automobiles we will still be negligent in our efforts to prevent accidents. There is a belief going around that the horses which they are building into these cars today are mere ponies, because I remember when we bought thirty-five horsepower motor cars and they went up hills pretty well and they traveled pretty good. Now, however, you have a Ford with a 202 horsepower motor in it.

I am serious and I am asking that committee to give serious consideration. Let us not be stampeded; I agree on that proposal that we ought to allow them time to do it, but to blindly say that it is not the right thing to do, without proof that it is not the right thing to do, is not correct. The only way to prove it is to try it, and if they want to try it on a fifty mile stretch, try it and compare that with the rest of the road in fatal accidents.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I apologize for bringing this discussion up under this order of business. However, I think there are several things that should yet be brought out. I assure you that I will attempt to keep within bounds, more so than my colleague who just spoke and discussed the cost of ice cream cones, the construction of automobiles and so forth.

In the first place, Mr. President. I do not agree with Senator Dent that figures or statistics gathered by the Turnpike Commission are not helpful to all. Certainly, life insurance companies would be on a very unsound basis if they did not use some standard table of mortality gathered by statistics of years gone by. Therefore, the Turnpike Commission, and I am quite sure that Senator Dent is correct in this,—in fact, I could substantiate many moves made by the Turnpike Commissioners, both the old ones and the new ones, as well—indicates their intense interest in the safety on the turnpike. As a matter of fact, the descriptive literature on the turnpike reads as follows:

"The far famed Pennsylvania Turnpike, backbone of America's sprawling network of super highways, traverses the entire Commonwealth from the Ohio State line, near Youngstown, to the Delaware River, a few miles north of Philadelphia. It is a 360 miles stretch, four lane, divided,

limited access, all-weather highway without a single cross road, railroad crossing, stop light, sharp curve or steep grade and without pedestrian traffic or straying livestock."

Then, again, it says:

"Turnpike curves are long and sweeping, with a minimum sight distance of 1,000 feet. No grade is over three per cent. Minimum width on the right-of-way is 200 feet. The twenty-four foot traffic lanes in each direction are separated by a ten foot medial strip. Clover leaf interchanges provide safe entry and exit to the twenty-nine interchange gateways."

Again, Mr. President, may I call attention to the fact that, as Senator Dent said awhile ago, he, together with Senator Mahany and Senator Whalley, introduced on June 21st, a bill providing for medial strips in certain curved sections on the western end of the turnpike. That bill was brought from the Highways Committee and passed finally on August 9th, in the Senate, by a vote of 48-0.

Just one more thing, Mr. President, and that is this. Senator Dent referred to the opening of the Ohio Turnpike. Twenty-six miles have already been opened and are in use, but on Saturday of this week the entire length of the turnpike will be thrown open to traffic. The construction of that is what I wish to bring out in particular. Through the use of figures furnished by the Pennsylvania Turnpike and other roads of two way separated construction, they have built their turnpike with a sixty foot medial strip which has a dip between for drainage and also for safety, believing that vehicles leaving that one lane of traffic will get caught in the down dip and not reach the traffic going the other way. In addition to the twelve foot strips of concrete, they have an eight foot strip on the inside which is paved with hard surface, black top, so to speak, and a ten foot strip on the outside of each of the lanes. They are also interested in safety, and they are making some of the moves that we might be criticized for. I certainly agree with Senator McGinnis that we do not want to reflect too much on this turnpike, because the Turnpike Commissioners are interested in moving toward more safety, and we do not want to reflect on the turnpike bcause some will become fearful of using it.

However, Mr. President, the engineering was started during the Democratic Administration of twenty years ago. A large section of the turnpike was constructed then and that might be a criticism against the Democratic Administration. However, the Republicans followed the same pattern in extending the western end and the eastern end. Therefore, as far as it being a political mistake, it does not fall in that category at all. It is an engineering mistake. The road should have been further divided. The Turnpike Commission agrees with that and all who have studied the situation agree to that. The new extension of the turnpike, up through the coal region from Philadelphia, will carry a medial barrier of raised concrete ten feet wide. The barrier is raised above the other lanes of traffic, and the hope is that that will prove much safer than the first construction.

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS asked and obtained unanimous consent to address the Senate.

Mr. McGINNIS. Mr. President, I merely want to say that I do not think this Legislature has the right to manage the turnpike and run it. I do not think this Legislature has the right to tell the turnpike where to biuld its medial strips or where many restaurants should be located along that highway.

This Legislature created the authority to build the turnpike. The Turnpike Authority then made a contract with the bond buyers and the bond buyers put up cash to build every inch of this turnpike. I doubt if this Legislature has the right to butt in now and destroy the value of those bonds. If we could do that, to build a barrier costs nine or ten million dollars, we could jump in and compel them to do something else which would lessen the value of the bonds. It would discourage the building of turnpikes forever afterwards if this Legislature would have the audacity to step in and run that turnpike and manage it. I do not think this Legislature has any right to do it under the law. I will admit that they may have the right to fix the speed on the turnpike and that we have done. That may be a right which is left to the Legislature, but I doubt seriously whether this Legislature has any right to step in and direct the running of the Turnpike Commission which has made an agreement with the bondholders. The bondholders put up the money on those conditions and built the turnpike.

BILLS INTRODUCED AND REFERRED

Messrs. McPHERSON, JR. and PECHAN read in place and presented to the Chair Senate Bill No. 765, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," exempting motor vehicles of war amputees from the payment of title or registration fees.

Which was committed to the Committee on Highways.

Mr. McPHERSON, JR. read in his place and presented to the Chair Senate Bill No. 766, entitled:

An Act providing for the payment by the Department of Highways of indebtedness of townships incurred for highway and bridge purposes and making an appropriation.

Which was committed to the Committee on Highways.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 767, entitled:

An Act amending the act of August 9, 1955, (Act No. 130), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," extending the powers of the County Planning Commission in counties of the third class subject to action by the county commissioners.

Which was committed to the Committee on Local Government.

Messrs. McGINNIS and BERGER read in place and presented to the Chair Senate Bill No. 768, entitled:

An Act amending the act of June 1, 1937 (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," changing the salaries of the chairman and members of the Pennsylvania Labor Relations Board.

Which was committed to the Committee on State Government.

Messrs. SEYLER, WAGNER, HAYS and KESSLER read in place and presented to the Chair Senate Bill No. 769, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," providing for establishment of regional service areas to replace county boards of school directors, county superintendents, assistant county superintendents and supervisors of special education, and to assume their functions; defining the powers and duties of regional service area governing boards and officers; fixing the qualifications and minimum salaries of these officers; imposing duties and conferring powers upon the Superintendent of Public Instruction, and State Council of Education, school directors, and school administrative officers, and making an appropriation.

Which was committed to the Committee on Education.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 770, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," adding a new route.

Which was committed to the Committee on Highways.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 771, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," adding new routes in Armstrong County.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 772, entitled:

An Act to amend the act approved the third day of June, one thousand nine hundred forty-three (P. L. 818) entitled "An act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith, and for the demolition of the buildings and structures thereon; providing for and imposing powers and duties upon a Capitol Park Extension Commission; conferring powers and duties upon the Department of Property and Supplies; and making an appropriation," by empowering and directing the Department of Property and Supplies to acquire by purchase or condemnation all lands, buildings and property which will permit the construction by said Department of an extension of East Street (Commonwealth Avenue) northwardly from Forster Street to connect with Sixth Street, and making an appropriation.

Which was committed to the Committee on State Government.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 773, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous recepits; making an appropriation and providnig for refunds," prohibiting the operation of motor vehicles the mufflers of which have internal parts removed.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 774, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety;

regulating the use of highways. and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter the act conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates aldermen justices of the peace, the courts and the clerks thereof owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," requiring the issuance for a certain period of time of special operators license or learner's permit after termination of the revocation or suspension period.

Which was committed to the Committee on Highways.

STATE CONCURRENT RESOLUTIONS

RECALLING SENATE BILL No. 593 FROM THE GOVERNOR

Mr. HALUSKA offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 26, 1955.

Resolved (if the House of Representatives concur) that Senate Bill No. 593, Printer's No. 218, entitled "An Act amending the act of May 28 1915 (P. L. 596) entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions' extending the benefits to employes of certain authorities created jointly with other political subdivisions or joined in by the cities and authorizing credit for past service on making back payments," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECALLING SENATE BILL No. 595 FROM THE GOVERNOR

Mr. HALUSKA offered the following resolution which was trice read, considered and agreed to:

In the Senate, September 26, 1955.

Resolved (if the House of Representatives concur), that Senate Bill No. 595, Printer's No. 219, entitled "An Act amending the act of March 7 1901 (P. L. 20) entitled 'An act for the government of cities of the second class' authorizing cities to regulate or prohibit the construction building or maintenance of certain fences made in whole or in part of wire with barbs," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE BILL No. 306 TAKEN FROM TABLE

Mr. HALUSKA. Mr. President, I call up from the table at this time Senate Bill No. 306, Printer's No. 85, which was recalled from the Governor of the Commonwealth, for the purpose of amendment.

RECONSIDERATION OF SENATE BILL No. 306

Mr. HALUSKA. Mr. President, I move that the Senate do now consider the vote by which Senate Bill No. 306, entitled:

An Act amending the act of May 16 1921 (P. L. 579) entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safekeeping discipline and employment of prisoners and the government and management of said jails or county prisons" further regulating the expenditures of moneys by the board without advertising and awarding of contracts

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. HALUSKA. Mr. President, I voted with the majority.

Mr. McGINNIS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. McGINNIS. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring.

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. HALUSKA. Mr. President, I voted with the majority.

Mr. McGINNIS. How did the Senator vote?

Mr. McGINNIS. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1 (Section 3), page 3, line 3, by inserting after the word "of" and before the word "over" the following: "["; Amend Section 1 (Section 3), page 3, line 5, by inserting at the end of the line after the word "bidder" the following: "] funds from the county treasury shall be made in accordance with the procedures set forth in Aritcle XVIII of the Act of August 9, 1955 (P. L.), Act No. 130".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 306, Printer's No. 85, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears

none. The bill, as amended, will appear on tomorrow's Third Reading Calendar.

SENATE RESOLUTIONS

CONGRATULATIONS OF THE SENATE EXTENDED TO THE BOROUGH OF HATBORO FOR ITS TWO HUNDRED AND FIFTY YEARS OF ADVANCEMENT

Mr. PROPERT offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 26, 1955.

The community of Hatboro, Montgomery County, is this year celebrating its 250th anniversary.

The marking of two hundred and fifty years in the history of Hatboro is a joyous occasion and calls forth many happy recollections and many occurences which give the citizens of Hatboro a strong sense of satisfaction and pride.

Hatboro was founded in 1705 as "The Crooked Billet", being so named for a tavern located in the center of the town. Near this site the Battle of Crooked Billet was fought during the Revolutionary War. Hatboro (Crooked Billet) was a stagecoach stop on the route from Philadelphia to New York, and remained just a small country village until its incorporation as Hatborough in August of 1871. With the advent of the railroad in 1872, the Borough experienced somewhat of a boom. It was not, however, until after the First World War that industrial plants came to Hatboro and new homes were built and the population tremendously expanded.

In recent years, because of its excellent transportation facilities, good schools and fine community spirit, Hatboro has grown to the thriving and prosperous community of 6500 people it is today; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania extends its congratulations to the borough of Hatboro for its two hundred and fifty years of advancement; and be it further

Resolved, That a copy of this resolution be forwarded by the Secretary of the Senate to the Burgess of Hatboro.

DEDICATING AND OBSERVING TUESDAY, OCTOBER 11, 1955 AS GENERAL CASIMIR PULASKI MEMORIAL DAY

Messrs. WATKINS and HALUSKA offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 26, 1955.

General Casimir Pulaski came to this land of freedom from his native Poland, joined the Continental Army to fight for the independence of America and for it laid down his life.

October 11, 1955 marks the One Hundred and Seventy-Sixth Anniversary of his death caused from wounds received October 9, 1779 in leading The Pulaski Legion at the siege of Savannah, Georgia.

General Casimir Pulaski's contributions on the altar of American independence should be an inspiration to all who love liberty and have the will to preserve it; therefore be it

Resolved, That this Senate go on record to dedicate and to observe Tuesday, October 11, 1955 as General Casimir Pulaski Memorial Day for his priceless contribution to the cause of freedom, and do hereby invite all the citizens of the State of Pennsylvania to observe that day in honor of the memory of General Casimir Pulaski.

OFFERING THE PRAYERS OF THE GENERAL ASSEMBLY FOR THE EARLY AND COMPLETE RECOVERY OF PRESIDENT EISENHOWER

Messrs. DENT and BARR offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 26, 1955.

Whereas, His Excellency, the President of the United States, Dwight D. Eisenhower, has suffered a heart attack and is presently confined to the Fitzsimmons Army Hospital, Denver, Colorado; therefore it

Resolved, That the General Assembly of the Commonwealth of Pennsylvania, join in the prayers of the peoples of the Nation and the free world for the early and complete recovery of the President.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

REQUIRING THAT PHYSICAL EDUCATION PROGRAMS BE ESTABLISHED IN ALL PUBLIC SCHOOLS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Mr. WHALLEY offered the following resolution which was twice read and referred to the Committee on Education:

In the Senate, September 26, 1955.

Recently, at a White House luncheon, the problem of the physical fitness of the youth of the United States was brought to the attention of the President of the United States in the form of a report given by Hans Kraus, M.D., Associate Professor of Physical Medicine and Rehabilitation at New York University and Miss Ruth Prudden, Director of the Institute for Physical Fitness at White Plains, New York.

The President said that the problem is a very serious one and even more alarming than he had imagined.

According to studies and tests, the percentage of American youths who are physically unfit with respect to muscular strength and flexibility is any where from thirty-four per cent to forty-nine per cent higher than for youths of European countries.

This condition has been brought about to a great extent by indulgent parents, unwillingness of children to participate in exercise and excessive use of buses, automobiles and television.

Our country will not long endure, as a leading power among great nations, if our youth is allowed to waste away and the time has come for us to attack the problem with a constructive program.

Our public schools are ideal places for carrying out a program of rehabilitating physically unfit youths. There, children may be made to engage in drills, calisthenics and exercises that will help to build healthy bodies; therefore be it

Resolved (the House of Representatives concurring), That the Department of Public Instruction require that physical educational programs be established in all public schools; and be it further

Resolved, That at least fifteen minutes per day be devoted in all schools to formal exercises or calisthenics.

COMMITTEE TO BE APPOINTED TO ESCORT HIS EXCELLENCY, THE GOVERNOR, TO THE SENATE CHAMBER TO ATTEND "JOHN MARSHALL BICENTENNIAL COMMEMORATIVE CELEBRATION"

Mr. MAHANY. Mr. President, I have been advised that Governor George Leader would like to attend the "John Marshall Bicentennial Commemorative Celebration," which is to be held in the Senate tomorrow morning, at 10:00 o'clock, a, m., Eastern Standard Time.

Therefore, Mr. President, I move that the President pro tempore of the Senate appoint a committee of three Senators to escort His Excellency, the Governor of the Commonwealth, to the Senate Chamber for the purpose of attending this celebration.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE APPOINTED PURSUANT TO SENATE CONCURRENT RESOLUTION, SERIAL No. 113

The PRESIDENT. The Chair, on behalf of the President pro tempore, wishes to announce the appointment of the following committee, pursuant to Senate Concurrent Resolution, Serial No. 113:

The gentleman from Armstrong, Mr. Pechan, Chairman; the gentleman from Allegheny, Mr. Fleming; the gentleman from Carbon, Mr. Scott; the gentleman from Washington, Mr. Lane; the gentleman from Cambria, Mr. Haluska, and the gentleman from Allegheny, Mr. Holland.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. HOLLAND,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 12, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Norman Snyder, Esq., 905 Mt. Holyoke Place, Swarthmore, Delaware County, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, for the term of four years, and until his successor is appointed and qualified, vice Louis Kapelski, Chester, removed from office.

GEORGE M. LEADER.

MEMBER OF PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 2, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leonard Spear, Esq. (Dem.), 5848 Hadfield Street, Philadelphia, County, for appointment as a member of the Philadelphia County Board of Assistance, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Charles D. Smeltzer, Philadelphia, resigned.

GEORGE M. LEADER.

MEMBER OF THE PUBLIC SERVICE INSTITUTE BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Col. E. J. Henry, 2400 Market Street, Harrisburg, Dauphin County, for appointment as a member of the Public Service Institute Board, for the term of four years, and until his successor is qualified, vice Col. C. M. Wilhelm, Harrisburg resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John D. Evans, 820 North Juniata Street, Hollidaysburg, Blair County, for appointment as Justice of the Peace in and for the Borough of Hollidaysburg, Blair County, to serve until the first Monday of January 1956, vice Harry D Soyster, deceased.

GEORGE M. LEADER

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, August 29, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Florence Goldman, Esq., 234 Jerusalem Avenue, Levittown, Nassau County, New York, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New York, for the term of five years, to compute from the date of confirmation.

GEORGE M. LEADER.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 29, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis Gould, 3000 Pacific Avenue, Wildwood, New Jersey, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New Jersey, for the term of five years, to compute from the date of confirmation.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Politza, 907 Spruce Street, Kulpmont, Northumberland County, for appointment as Justice of the Peace in and for the Borough of Kulpmont, Northumberland County, until the first Monday of January 1956, vice Victor A. Avellino, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Cornelius De Groot, Revere, Bucks County, for appointment as Justice of the Peace in and for the Township of Nockamixon, Bucks County, to serve until the first Monday of January 1956, vice Joseph M. Fink, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SCRANTON STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Scranton State Hospital, for the term of four years and until their successors are appointed and qualified:

James B. Rosenfeld, 830 North Webster Street, Scranton, Lackawanna County, vice John B. McDade, Scranton, resigned.

Rev. Clewell Ottinger, 735 Prescott Avenue, Scranton, Lackawanna County, vice Rev. Fryderyk S. Banas, Dickson City, resigned.

Thomas J. Dempsey, 1328 Madison Avenue, Scranton, Lackawanna County, vice William K. Frew, Taylor, resigned.

James Nocera, 131 Second Street, Old Forge, Lackawanna County, vice Henry Ventre, Old Forge, resigned.

John Stirna, 141 School Street, Scranton, Lackawanna County, vice William A. Schneider, Sr., Scranton, resigned.

Prof. Michael E. Howard, 2402 Boulevard Avenue, Scranton, Lackawanna County, vice Morris Goodman, Scranton, resigned.

Vincent Yuskiewicz, 1009 South Wyoming Avenue, Scranton, Lackawanna County, vice Edwin Williams, Jr., Scranton, resigned.

Daniel J. Calvin, Park Gardens, Scranton, Lackawanna County, vice John M. Burke, Carbondale, resigned.

Joseph Krempasky, Jessup, Lackawanna County, vice Frank Summa, Jr., Dunmore, resigned.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. HOLLAND,

That the Senate do advise and consent to said nominations.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. HOLLAND. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committe on Appropriations, reported as committed House Bill No. 1799, entitled:

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955.

He also, from the Committee on Appropriations, reported as committed House Bill No. 1800, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocation therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five.

BILL INTRODUCED AND REFERRED

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE read in place and presented to the Chair Senate Bill No. 775, entitled:

An Act making an appropriation to the Joint Committee appointed by the Senate and House of Representatives to investigate the Pennsylvania Training School at Morganza.

Which was committed to the Committee on Appropriations.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 514, as follows:

An Act amending the act of May 17, 1917 (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" further providing for the suspension and revocation of registration by the State Board of Pharmacy

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 act of May 17, 1917 (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the

violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" amended May 11, 1949 (P. L. 1095) is amended to read

Section 6 [That the registration of any pharmacist or assistant pharmacist under this act of Assembly may be revoked by the] The State Board of Pharmacy shall have the power to revoke any registration under this act when the registration is proved to have been obtained by fraudulent means [or suspended or revoked] and to suspend or revoke the registration of any pharmacist or assistant pharmacist for any of the following reasons

(1) Conviction of a second violation in connection with the practice of pharmacy of any law of this Commonwealth or of the United States

(2) Paying rebates to physicians or entering into an agreement with a physician for payment in any form for the recommending of the professional services of either party

(3) Knowingly compounding dispensing or selling or knowingly causing or permitting the compounding dispensing or sale of any drug which contains more or less than the proportionate quantity of ingredient or ingredients specified by the person ordering or prescribing such drug or which contains an ingredient or ingredients other than those specified by the person ordering or prescribing such drug or which is of a brand or which contains an ingredient or ingredients of a brand other than that specified by the person ordering or prescribing such drug unless in the case of a drug dispensed pursuant to a prescription the consent of the prescriber is first obtained Provided however That nothing in this act shall be construed to prohibit the addition of such inert ingredients as may be required in the art of compounding preparing mixing or otherwise producing drugs

Before [any] the registration [is] of any pharmacist or assistant pharmacist shall be suspended or revoked the holder of such registration certificate shall be given a hearing before the State Board of Pharmacy after notice of the time and place of such hearing and of the charges made against him At such hearing the accused may be represented by counsel and shall be entitled to compulsory attendance of witnesses

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 514

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 514.

Mr. DiSILVESTRO. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 699, as follows:

An Act amending the act of June 24, 1937 (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of certain persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" relieving children of liability for support of parents deserting them during minority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Subsection (a) of section 3 act of June 24 1937 (P L 2045) known as "The Support Law" amended May 23 1945 (P L 864 and 865) is amended to read

Section 3 Relatives Liable for the Support of Indigent Persons Procedure to Enforce Support—(a) The husband wife child (except as hereinafter provided) father and mother of every indigent person whether a public charge or not shall if of sufficient financial ability care for and maintain or financially assist such indigent person at such rate as the court of the county where such indigent person resides shall order or direct No child shall be liable for the support of any parent who abandoned the child and persisted in the abandonment for a period of ten years during the child's minority

* * *

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Derk,	Lane,	Propert,	Watkins,
Dent,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 705, entitled:

An Act providing for the payment of certain outstanding checks more than seven years old, and making appropriations therefor.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 6, page 3, by striking out line 11.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 705, Printer's No. 972, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 721, entitled:

An Act authorizing and directing the Department of Highways to accept a bridge across Redbank Creek and the approaches thereto connecting the State highway system in Armstrong County with the State highway system in Clarion County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. HALUSKA. Will the gentleman from Armstrong, Senator Pechan, tell me the purpose of this act?

Mr. PECHAN. The Climax Brick Company, which is on the border of Clarion and Armstrong Counties, at one time built a privately owned bridge for use by its employees. This bridge connects two State highways. The Climax Brick Company has no further use for the bridge and has abandoned it. It is a bridge of poor construction, and they have barricaded the bridge so that the public will not use it. However, every once in awhile, somebody takes down the barricade and uses this bridge. They are afraid that someone will go through the bridge and get hurt. For that reason, they are abandoning that bridge.

I have a petition which is signed, I think, by some 2,000 citizens from Clarion and Armstrong Counties, asking that the State do something about that area because the Climax Brick Company is no longer responsible.

Mr. HALUSKA. Will the gentleman from Armstrong, Senator Pechan, tell us the cost of this project?

Mr. PECHAN. Well, it does not have to be done. There is no use for it. The people use it for a short cut.

Mr. HALUSKA. What will it cost the Commonwealth to take this bridge over?

Mr. PECHAN. Nothing. I mean, if the Commonwealth will go in there and tear it down or not replace it, it would cost nothing. However, the Climax Brick Company has no further use of the bridge. They used it as a convenience for their employees before these two roads were improved.

Mr. HALUSKA. Mr. President, I would like to ask the gentleman from Armstrong to hold this bill over until next Monday, because some of the boys who are interested in the bill are not here today.

Mr. PECHAN. I would be very happy to do that. In fact, the petitions that I have, and the letters which accompanied the request for the introduction of the bill, are downstairs in my office. I am not prepared to read them now.

I will be very happy to let the bill go over because I think you will find that it should not be controversial once you understand the bill.

And the question recurring,

Shall the bill pass finally?

BILLS OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that Senate Bill No. 721, Printer's No. 251, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HALUSKA. Mr. President, I ask unanimous consent that House Bill No. 1003, Printer's No. 964, on third reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, I understand that this bill will allow certain groups to come in to harvest potato crops, and so forth, to get special license plates. If it is going to be of any value to them, Senator, we should act upon it.

Do you plan just to hold it over for one day so that we might act upon it tomorrow or had you in mind to have it keep going over until after the harvest season is passed?

Mr. HALUSKA. Mr. President, there has been quite some discussion on this bill because where it offers relief to foreigners, it penalizes local citizens. Again, I wish to say that some of the Senators who are very much interested in this bill are not here today, and they have asked me to hold it up until next Monday, if possible, before taking final action on it.

We may be able to have a meeting of minds on it and then pass the bill without any opposition.

Mr. MAHANY. I will consent to that, Mr. President, if it is understood that we will not hold the bill up any longer than next Monday.

The PRESIDENT. There being no objection, the bill will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1553, as follows:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-five and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

Whereas Under the Constitution and the laws of this Commonwealth the State Treasurer may not pay out any moneys unless they be specifically appropriated by Act of the General Assembly therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of fifty million dollars ($50,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Treasurer of the Commonwealth of Pennsylvania for the purpose of paying the salaries and wages of the officers and employes and other ordinary and general expenses of the State government in the interim between the thirty-first day of May one thousand nine hundred fifty-five and such time as moneys appropriated by the General Appropriation Act and other appropriation acts of one thousand nine hundred fifty-five may become available for such purposes and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

Section 2 Payments out of the appropriation of this act shall be made by the State Treasurer upon requisitions by the several departments boards commissions or officers in the same manner as payments are ordinarily made

Section 3 All amounts paid by the State Treasurer in accordance with this act shall be charged against the appropriations made for the salaries and wages of the officers and employes and other ordinary and general expenses of the State government in the General Appropriation Act and other appropriation acts of one thousand nine hundred fifty-five

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin.	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor.
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye,' the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representativs with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1637, Printer's No. 973, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1652, as follows:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million four hundred ninety-three thousand five hundred dollars ($1,493,500) is hereby specifically appropriated from the Toll Bridge Fund to the Board of Finance and Revenue for payment into the Toll Bridge Sinking Fund to meet interest and sinking fund requirements on Toll Bridge Bonds for the two fiscal years beginning June first one thousand nine hundred fifty-five The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasuer upon requisition of the Board of Finance and Revenue from the Toll Bridge Fund to the Toll Bridge Sinking Fund on or before the dates and in the manner set forth in the following schedule

Dates	Principal	Interest	Total
October 1 1955	$700,000.00	$27,225.00	$727,225.00
April 1 1956		23,375.00	23,375.00
October 1 1956	700,000.00	23,375.00	723,375.00
April 1, 1957		19,525.00	19,525.00
Total	$1,400,000.00	$93,500.00	$1,493,500.00

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, I have a personal interest in House Bill No. 1652 in that for many years I have been traveling from my home town of Titusville down to Harrisburg; especially have I traveled that route since 1943, when I first became a Member of this Legislature. Of course, every time I came down to Harrisburg I have to pay five cents to get over the Clarks Ferry Bridge. I often wondered why we had to continue paying a toll to get over that bridge and all the other bridges down here, with the exception of the bridge that was named after my good friend, the M. Harvey Taylor Bridge, and of course, he has given us all passes to go over that bridge, lifetime free passes, but to get into the Capital City by way of all the other bridges a toll must be paid. It does not seem quite right because we know throughout the State, the Highway Department has built large, expensive bridges over which you may travel without the payment of any toll.

Mr. President, I remember in the early years of my legislative experience, we struggled to get these bridges free of toll. We had legislation passed to do that. I remember my good friend, Ray Smock, when he was Secretary of Highways, did a great deal to make contracts with

the people who owned these bridges to have them deeded over to the Commonwealth and then set up a fund which would be contributed to by these tolls, so that at sometime the bridges would be free.

Mr. President, I have been given the information that on all the bridges which are now on the toll list there has been collected, to August 31, 1955, the sum of $7,658,462.65. The expenses for collecting the tolls on these bridges to date is $1,262,653.13, leaving a net profit of $6,395,809.52. I also further understand that the amount of the cost to take over these bridge was $8,000,000. Therefore, if we add the amount of tolls which was collected to the credits in the old bridge account, which was in the amount of $742,079.57, we would get a total of $7,137,889.09. If we subtract that total from the $8,000,000, which it cost to take over the bridges, we would get approximately $900,000 yet to be collected before these bridges will be toll free. In the very near future, it looks as though I will be able to travel from Crawford County to Harrisburg, and all the other people of the Commonwealth of Pennsylvania will be able to get into our State Capital, without having to stop at the bridge and pay that nickel to come to visit one of the outstanding cities of the Commnowealth.

Therefore, Mr. President, I look forward to the time when Senator Dent and the rest of us—and I feel sure that Governor Leader will want to be there—can go over and have some kind of a ceremony when the last toll is collected and when the bridges are finally made free of all tolls.

Mr. DENT. Mr. President, I am happy to hear the remarks made by the gentleman on the other side.

I would like to remind him that the first bills to free the bridges over the Susquehanna were put in, if my memory serves me right, back under the Earle Administration. I am happy to say that after twenty years, the Democrats are back in and we are really going to free them now.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as fololws, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Holland,	Mullin,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Propert,
Fleming,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR
BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 156, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," providing for the payment of the cost of removal or change of public utility facilities of political subdivisions or municipality authorities in State highways.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HALUSKA offered the following amendment:

Amend Sec. 1 (Sec. 412.1), page 2, lines 4 to 14, by striking out all of said lines and inserting in lieu thereof: "Section 412.1. Adjustment of Municipally Owned Public Utility Facilities. Whenever in the construction, reconstruction, widening, or relocation of any State highway, bridge or tunnel, or any part thereof, it becomes necessary, in the opinion of the secretary, to change, alter, adjust or relocate any water line, gas line, or sanitary sewer owned and operated as a public utility by a city, borough, incorporated town or township, the department may make such change, alteration, adjustment or relocation as may be required, as a part of such construction, reconstruction, widening or relocation. The department may also enter into agreements with any such city, borough, incorporated town or township for the sharing in the costs of such change, alteration, adjustment or relocation. In any case, where in the opinion of the secretary, such costs should be shared by the department and a city, borough, incorporated town or township, and the department is unable to agree with such city, borough, incorporated town or township to a division of the costs, the department may proceed with the work and petition the Pennsylvania Public Utility Commission for a determination of the costs to be borne by each party."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HALUSKA offered the following amendment: Amend Title, page 1, last three lines of Title, by striking out "providing for the payment of the cost of removal or" in the 3rd from last line, and all of the last two lines, and inserting in lieu thereof: "authorizing the department to provide for certain work on municipally owned public utilities."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 162, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," increasing rental charge allowed for use of receiving district's school plant in calculating tuition charge per high school pupil to be paid by sending district.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. MAHANY. Senator Dent, a couple of weeks ago, when this bill was on the Calendar, you stated if this bill were passed it would cost the Commonwealth $1,200,000. You know that the Republicans are anxious to economize wherever possible so that the Commonwealth will not have to pay out more than it has to. We felt concerned over your statement and, if that statement is still correct, of course, we will recommit this House Bill to committee however, if it is not, we would like to act on the bill.

Therefore, I ask you whether that statement made by you still holds true.

Mr. DENT. Mr. President, in answer to that I might say that I asked the Budget Director to check back with the Department of Public Instruction, and we found that they were in error on the reimbursement. There is no reimbursement fraction for this particular charge. Therefore, in so far as the Commonwealth is concerned, it will not cost the Commonwealth any more. It will cost the sending schools; the receiving schools will receive the money, but not from the Commonwealth. Therefore, if you are interested in the so-called new-born Republican economy drive and you are not going to charge any more to the Commonwealth and you want to place it on the local community, proceed and pass the bill.

Mr. MAHANY. Senator Dent, I note that it was not just our idea. Two of the sponsors of this bill are evidently Democrats and I understood that it probably was a Democratic-sponsored bill. Please do not unload all of the burden on the Republicans.

Mr. DENT. Thank you. Mr. President, I am happy to see the Republicans passing Democratic-sponsored bills here in the Senate. I might remind the gentleman, however, that there are many Democratic-sponsored bills in the committees over here. There are something like 305 of them, which deal with the Administration's policies. If the Republicans are really interested and are afraid that we might get too much blame for passing them, we will take the blame. If they are afraid that we will get too much credit, we will take that, too.

And the question recurring,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 162, Printer's No. 90, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 165, entitled:

An Act amending the act of June 30, 1947 (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," changing the method of selecting panels for the adjustment of grievances of certain school district employes and imposing additional duties on such panels.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 1(b), page 6, line 10, by striking out the words "the authorized representatives of."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 215, on second reading, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," changing the basis for reimbursement on account of rentals payable to the State Public School Building Authority, municipality authorities and nonprofit corporations and the conditions therefor and limitations on aggregate of approved reimbursable projects.

be placed on the Second Reading Postponed Calendar.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 340, entitled:

An Act amending the act of April 17, 1947 (P. L. 63, No. 29) entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases" extending the provisions of the act to cities of the second class and excluding certain land from condenmation

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. VAN SANT offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "section 1" where it appears the second time and inserting in lieu thereof: " scetions 1 and 2;" Amend Sec. 1, page 2, line 2, by striking out "No 29"; Amend Sec. 1 (Sec. 1), page 3, lines 10 and 11, by striking out "at the effective date of this act"; Amend Sec. 1, page 4, by inserting between lines 2 and 3:

"Section 2. Whenever any lands shall be acquired by any such city for parking lots or garages, they may be operated by such city as parking lots or garages for parking motor vehicles only, but not for the sale or distribution of any commodity except that portions of the street level or lower floors of the parking garages may be leased for commercial use, including emergency automobile repair service and the sale by any lessee of the city of any commodity of trade or commerce or any service except the sale of gasoline or automobile accessories, or when so provided by ordinance, they may be let to and for private operation as parking lots or garages on such terms and conditions as may be prescribed by ordinance."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. VAN SANT offered the following amendments:

Amend Title, page 1, first line of Title, by striking out "No 29"; Amend Title, page 1, third line of Title, by striking out the brackets before and after "any"; Amend Title, page 2, first line at top of page, by striking out "and"; Amend Title, page 2, second line from top of page, by inserting after "condemnation": "and further regulating the use of parking garages."

They were agreed to.

The title was agreed to as amended

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 528, entitled:

An Act authorizing and empowering the Delaware River Port Authority to finance, construct, operate, maintain and own a new toll bridge for vehicular traffic across the Delaware River between Philadelphia County, Pennsylvania, and Burlington County or Camden County, New Jersey, at a location to be selected by the said Delaware River Port Authority between a point or points within a three mile radius of the intersection of State Road and Levick Street in the City of Philadelphia, Pennsylvania, and a point or points within a three mile radius of the intersection of New Jersey State Route No. 73, Market Street and Temple Boulevard in Palmyra, County of Burlington, New Jersey, together with such approaches thereto and such highway connections as may be necessary or desirable, and granting and defining certain powers of eminent domain and other functions, powers, duties and privileges; all of said actions to be taken pursuant to and in accordance with this act and the Compact or Agreement and amendments or supplements thereto between New Jersey and Pennsylvania, dated July 1, 1931, August 23, 1951, and August 30, 1951, and the consent by the Congress of the United States thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 620, Printer's No. 963;

Senate Bill No. 648, Printer's No. 225; and

Senate Bill No. 649, Printer's No. 226.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 652, on second reading, entitled:

An Act amending the act of June 22, 1931 (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvements without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act," adding new routes in the City of Scranton.

be recommitted to the Committee on Highways.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 722, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicls, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation

of their motor vehicles; imposed penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of registration plates to newspaper, newsreel or television photographers.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Sec. 1, Sub-section (f), Page 3, Line 16 by striking out "three ($3).. and inserting in lieu thereof: "five ($5)."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 722, Printer's No. 258, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 794, entitled:

An Act amending the act of January 21 1947 (P. L. 3), entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" changing the title of and compensation of certain Senate and House employes providing for the appointment of additional employes therein and making appropriations.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section

Mr. KESSLER, on behalf of Mr. CHAPMAN, offered the following amendment:

Amend Section 2, page 10, lines 10 and 11 by striking out the words and figures "three thousand nine hundred sixty dollars ($3960)" and inserting in lieu thereof: "four thousand five hundred dollars (4500)"

It was agreed to.

The section was agreed to as amended.

The third, fourth, fifth and sixth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

COMMITTEE APPOINTED TO ESCORT HIS EXCELLENCY, THE GOVERNOR, TO THE SENATE CHAMBER TO ATTEND THE "JOHN MARSHALL BICENTENNIAL COMMEMORATIVE CELEBRATION"

The PRESIDENT. The Chair wishes to announce, on behalf of the President pro tempore, the appointment of the following committee to escort His Excellency, the Governor, to the Senate Chamber to attend the "John Marshall Bicentennial Commemorative Celebration." which will be held on Tuesday, September 27, 1955, at 10:00 o'clock a. m., Eastern Standard Time:

The gentleman from Lycoming, Mr. Derk, Chairman; the gentleman from Centre, Mr. Hays; and the gentleman from Somerset, Mr. Whalley.

It is requested that the committee be at the Governor's Office at 10:45 o'clock, a. m., Eastern Standard Time.

CALENDAR

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rules requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1435, entitled:

An Act amending the act of June 1 1945 (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" further regulating streets in cities of the second class and the powers duties and obligations of such cities and the Commonwealth with regard thereto.

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 723 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. MAHANY. Mr. President, I call up from the Second Reading Postponed Calendar, Senate Bill No. 723, for consideration at this time.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 723, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," authorizing joint school committees to manage certain joint schools or departments.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 1 (Sec. 1707) page 2, line 4 by inserting after "Committees": "(a)"; Amend Sec. 1 (Sec. 1707)

page 2, line 9 by inserting after "or;" "that designated functions may be managed by separate"; Amend Sec. 1 (Sec. 1707) page 2, line 16 by inserting brackets before and after "This" and inserting immediately thereafter: "(b) Where one joint school committee is established, the"; Amend Sec. 1 (Sec. 1707) page 2, line 16 by striking out "or these committees"; Amend Sec. 1 (Sec. 1707) page 2, line 20 by inserting after "generally": "(c) Where more than one joint school committee is established, each committee shall have all the powers and duties and be subject to all the liabilities with reference to the supervision, maintenance and regulation of the particular function or functions of such joint schools or departments delegated to it as are now conferred or imposed by law upon school boards generally." Amend Sec. 1 (Sec. 1707) page 3, line 1 by inserting brackets before and after "this" and inserting immediately thereafter: "any"; Amend Sec. 1 (Sec. 1707) page 3, line 1 by striking out "or these committees"; Amend Sec. 1 (Sec. 1707) page 3, line 5 by inserting brackets before and after "the" where it appears the second time in said line and inserting immediately thereafter: "any"; Amend Sec. 1 (Sec. 1707) page 3, line 5 by striking out "or joint school committees"; Amend Sec. 1 (Sec. 1707) page 3, lines 11 and 12 by striking out "or joint school committees" and inserting in lieu thereof: "directing the affairs of the joint school or department generally or by the president and secretary of the joint school committee directing the particular function involved."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WAGNER offered the following amendment:

Amend Title, page 1, next to last line of Title, by striking out "certain" and inserting in lieu thereof: "designated functions of."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WAGNER. Mr. President, I ask unanimous consent that Senate Bill No. 723, Printers No. 240, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 1721, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduicary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporation authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the court prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds property and investments held in a fiduciary capacity.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1799, entitled:

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1800, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocation therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, there have been some comments in the newspapers during the past week or so relative to plans of the House to take an extended recess until December 5th of this year. Several reporters have asked me whether or not the Senate was going to concur in the plans of the House to recess until that time. For the information of the Senate, and also of the House and also of the public, we feel that the House should remain in Session along with the Senate until such time as we can conclude the business of the Commonwealth and adjourn sine die.

We are of the present opinion that next week we will be able to get out of the Appropriations Committee the appropriation bills in their amended form, if they are to be amended, to the point where we feel that there will be sufficient money provided in the appropriation

bills to take care of the needs of the Commonwealth. We expect to act on those appropriation bills next week.

Mr. President, Senator Pechan has procured rooms at motels and also at, I understand, the Hershey Hotel so that any of the Senators who do not know where they are going to sleep next week, if they will see Senator Pechan he will see that a room is provided for them at one or the other of these hotels and motels.

We hope that the Members of the Senate will be in attendance the first of the week so we can act on these important measures. I have no doubt that there will be much debate upon them. We feel that we can justify the figures in the amended appropriation bills, and we will be prepared to argue those figures out with the Members of the Democratic Party. After that, we hope that we will be able to arrive at some satisfactory tax policy. I have stated here time and time again, and I have stated to the Governor, that this is as far as we feel that we can go, inasmuch as the Democrats are in control of the Governor's office and also in control of the House, where all tax bills must originate. Rather than spend a lot of time getting through a tax bill over in the House which would not have any chance of passage in the Senate, any tax measure that any of the Democratic leaders in the House has in mind or the Governor has in mind, I will be pleased to discuss that tax measure with the Members of the Republican Caucus and advise the Democrats how many Republicans may be procured for that particular tax measure. In that manner, they will not have to spend weeks and months driving a tax bill through the House which has no chance of passage in the Senate, which they did in the case of the so-called Leader classified income tax.

Mr. President, we hope that we will be able to arrive at a satisfactory conclusion on the financial picture for the State of Pennsylvania so that the businesses that are figuring on coming into Pennsylvania, and the businesses which are already in Pennsylvania and are planning to expand in Pennsylvania, will know what the ultimate tax structure will be. We want to work hand-in-hand with the Democrats and with the Governor in relation to figuring out these problems and coming to a satisfactory solution, but we do not feel that it is our job to sponsor or even co-sponsor any tax measure. That is a job, an obligation and a responsibility which the Democrats must assume inasmuch as they have control of the Governor's Office and the House of Representatives. As I stated, we are ready to continue on here from week to week, and I feel sure that we will be able to find proper rooming accommodations for the Senators. We are planning to continue on week to week until such time as we can find a satisfactory solution to the Commonwealth's problems and adjourn this Session of the Legislature sine die.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President and Members of the Senate, I do not know how and I do not have at hand the number of days that the House has worked and the far lesser number of days that the Senate has worked. It would be outstanding if some would prepare that and present it to the newspapers, so that the people in the Commonwealth could tell how the House has worked and the Senate has done little or nothing. In the Senate committees now there are resting over five hundred bills which have been passed by the House and there is nothing being done about them. The committee system in the Senate of Pennsylvania has broken down into, I would say, nothing. There is no such thing. All bills now are referred to the Republican Caucus.

The gentleman who just preceded me on the floor made a statement to the newspapers, which came to me earlier this afternoon and in which he said that the Appropriations Committee was meeting and they were cutting the appropriation bills as they passed from the House. I said to a gentleman from one of the newspapers that this was a complete falsehood, as I was a member of that committee, and there had not been one meeting called. Now if they are going to have the iron curtain system in that committee, I presume that we will have to contend with it because they are the ones who are in control of the Senate.

Secondly, Mr. President, I think the newspapers did not print the whole story of what the Majority Leader in the House said last week. I personally was out of town the day he said that he thought that the House would recess, but that at the call of the Speaker they were waiting for the Republican Senate to tell them just what tax they were in favor of. It appears to me that the tax is going to have to be given to them by the Republican Senate, because any other tax that has been mentioned always receives the same response, "No, no, we will not have it." Therefore, we are waiting, and the House is waiting, for the word of you gentlemen on the other side as to just what tax you probably will accept. Thereafter, they probably will use their prerogative and see if it is acceptable to them.

I am just wondering when the committees in this Senate are going to function again and when these bills are either going to be reported out or disapproved in the Senate Committees. As I told the gentleman earlier in my little dissertation here, I, for one, have been a pretty dutiful person on attending committee meetings. I like to learn more about the bills. Sometimes in committee you can learn more about the bill than you can learn here on the floor or even in your Caucus. I would like to see us go back to that Democratic way of doing business in the Senate.

Mr. President, the story I have told you on the appropriation bills has been borne out when the gentleman says that the appropriation committee is meeting. I do not know who it is, but it is either the men who work over in that committee room on a salary basis or Members of the Senate. I was elected as a Member of the Senate and I was not elected to have Mr. Logan do my work for me because, personally, I think I know as much about the budget as Mr. Logan does, because he has been giving us bum budgets up here for the last sixteen years that I know of.

I was hoping, and I guess I was hoping too much, that the newspapers had actually reported waht Representative Readinger said last week, that the House would be there at the call of the people. I do not know whether all of you know it or not, but we have all been advised this week that we must get out of the hotels tomorrow at five o'clock. As I understand it, the House Members next

week are coming back, I think, on Thursday so that they will have room. It is just a little bit different here in the Senate than it is in the House. You know they have 210 members or so, and they have far more employees than we have to attend to that many persons and they also have to be housed. Over here in the Senate there are some of us who are fortunate enough to have apartments, such as Senator Mahany and myself, and that feature does not bother us too much.

Mr. President, I think if the men are going to come here to do their work, the Senate should get down to work and work on these bills which are over here and then, maybe tomorrow, we could go over and meet with clean and open hands. That is the way I intend to go into that meeting tomorrow. I have been tipped off already, and I do not think that you fellows are coming over in that spirit because you say that you are going to talk about figures tomorrow which have been compiled by Mr. Logan, and probably Mr. Stoner and a few others who are here on a salary basis and have not been elected to anything in the Senate Appropriations Committee.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I had hoped that we would dispense with trying to tar each other with a black stick until after we had an opportunity to discuss, on an intelligent plane, the question of the difference between the Republican budget figures and those that have been submitted by the Governor of the Commonwealth, who, incidentally, is primarily responsible for the administrative functions of this government.

I had hoped that when we met tomorrow, we would be able to ascertain just what their figures were and try to come up with some sort of a compromise.

It is easy, Mr. President, to cut a budget. It is the simplest procedure in the world. You just cut the services and you cut the budget. That is a simple fact. You have decided that you are going to vote for nothing but a certain type of tax, and you have said all along that you would only vote for that tax. I have listened to the speeches on television, and radio, and on the floor of the Senate and on the floor of the House, and I read reams of newspaper stories in which it has been told to us that there is no compromise but a sales tax. I was perfectly amazed and astonished last week when I picked up a local newspaper and the Republican Floor Leader in the House charged that the Democrats were stalling on the tax bill; that they were trying to euchre the Republicans into a position where they, the Republicans would be for a sales tax.

I have watched honor go down the drain for political connivance and convenience. I have watched respect for each other's word disappear from the political scene in this Session of the Legislature. I have watched men elected to office take orders from the outside to the point where they are mere puppets. I have talked privately to men, and in those close private conversation gained a knowledge of their thinking which I was proud to know that they possessed. I have watched them horsewhipped back into line by an action calling for the unit control. The most dangerous thing in this country of ours and the legislative halls is the practice of unit control. There is nothing that will destroy this democracy of ours quicker than the practice of a unit rule.

Yes, Mr. President, we vote together and we disagree. However, men tell you honestly that this is exactly what they think can and ought to be done and then they come up sheepishly and say, "I'm sorry, but the Caucus said no."

Mr. Mahany cannot stand over there and tell the people of Pennsylvania that it is the Governor's responsibility to produce tax bills when they say that they will not vote for any tax bill except that which they approve. The Governor has a gun at his head.

You are a lawyer, Senator Mahany. I want to ask you, sir, if you put a gun in my hand and put your finger over my trigger finger and squeezed the trigger and you killed an innocent party, would I be guilty of murder or would you?

You say to the people of Pennsylvania, "We'll have a sales tax." Your leader over in the House says, "We'll have a sales tax, but we won't be responsible for it. Well have the Democrats be responsible for it." You are putting your finger on the trigger finger of the Democratic Party. You want us to kill the little people in this State and then say, "Bad. Didn't I tell you they are no friends of yours? They broke their word."

You are a lawyer who knows the law and practices the law. The law is that if you or I have a Majority in this Senate and you refuse to take the Governor's recommendations for budgets and for taxes, you are responsible. If you have already cut the budget, what do you want to meet with the Governor for tomorrow morning? If you have already predetermined just what tax bill you will take, why do you want to kid the people into believing that the Governor has to come up with a tax bill?

I have said before and I will say now, that so long as you take that stubborn attitude I, for one, will appeal to all the Democrats to vote against your sales tax. When you sit down and negotiate at a table of compromise, you do not do that only on the basis of what you want; you do that on the basis of giving a little and taking a little. Some of us have earnestly tried; some of us have gone through the budget from one end to the other without the benefit of outside help and without the benefit of inside help, and we have come up with some figures. However, somewhere along the line somebody determind how much money the State was going to have this biennium and regardless of arguments to the contrary, and regardless of how long we stay in Session, you have predetermined that you are going to cut $131,000,000 from the budget. If I am not mistaken, Mr. President, I would like to predict that when the figures come out of these private meetings of a so-called, or supposed to be, bi-partisan committee meeting they will somewhere approximately that figure because a predetermination has been made.

Mr. President, they have hold me and they have told the world that they are against any more taxes on industry; they are against any form of taxation which places the ability to pay as the base for taxation. I tried to sit down with individuals and groups of Republican Senators and explain to them that our whole economy in this Country comes out of payroll, and if

you place a tax of a figure, say, of $400,000,000, and out of the $400,000,000 you take about $300,000,000 of the $400,000,000 tax out of the pockets of those who make less than $7,000 a year, you are taking out of the commercial and merchandise market $300,000,000.

Mr. President, we do not buy new refrigerators, those of us who are in a little higher bracket, those of us who are more settled in our ways. Do you know who buys new refrigerators, new television, new automobiles, new homes and furniture, waffle irons and all of the accessories and little things which make up this great commercial sale that we have in this country? I will tell you who buys them; the fellows making under $7,000 a year. My refrigerator was bought in 1937 and I still have it. I can name you persons who do not have one-third the income I have that have had four refrigerators since then. Tightwads like us Senators would bankrupt this Country inside of five years. We never buy anything unless we have to have it. We are at the age now where one suit of clothes will darn near bury us. I doubt if there is a man in this Senate conceited enough to buy a two-pants suit anymore.

We must recognize the economy and the health of this State of ours. You cannot keep putting the creditor's share of the burden of taxation upon the little fellow.

For instance, Mr. President, I want to read you something here. You say we cannot tax industry, and none of us wants to tax industry beyond their share but let us look at some things. I have here, Mr. President, apropos to the subject, a letter from Greensburg, Pennsylvania, signed by W. Everett Noel, the Chairman; Harry C. Gongaware, Member; and Robert A. Kilgore, Member of the County Commissioners of my county, two Republicans and one Democrat. That was a mistake we do not hope to repeat. Mr. President, I would like to read this letter:

"Dear Senator Dent:

"This letter will advise you that Westmoreland County is very much interested in four bills now before the Legislature relating to repeal of the 1953 amendment regarding machinery tax exemption. Westmoreland County is in favor of the repeal of the 1953 amendment. If this amendment goes into effect on the first Monday of January 1956, the assessments in Westmoreland County will be adversely affected to the extent of approximately thirty per cent. This means that larger assessments will have to be placed upon the small property owner to even up from the loss of revenue from machinery assessment."

Now, Mr. President, if they pass the kind of tax which they want to pass, with the exemptions that they gave to big industry and to large consumers in this State, eighty-two per cent of the tax that you are talking about will be paid by the little peoples of Pennsylvania, further depleting the amount of money that they can put into the stream of commercial enterprise and merchandising, further depleting the amount of money that will be used to buy up the products of industry.

Mr. President, worry often comes to me and I wake up in the middle of the night in a cold sweat. You know, I worked with my hands and you can tell it by looking at me. I worked from the time I was eleven years old in a factory. I quit school when I was twelve. I do not want to go back to swinging the pick and I do not want to go back to manual labor. However, if we keep pressing down the screws upon the back of the little fellow, there will come the day when he will say "What's the use?" When he does, we need not fear communism; we will have something worse. People cannot be pushed to the precipice. You cannot take thirty per cent of taxation off of industry and put it onto the small home owner in my county without endangering the democracy in which we live. You cannot put eighty per cent of a new tax burden in this State upon the little fellow who earns less than $7,000 a year, without injuring the ecenomy as well as the way of life that we enjoy. You just cannot keep putting taxes on, disregarding the ability to pay.

Mr. President, I have talked with big industrial leaders in this State, and I have talked to utility leaders in this State, and I have talked to members of the Chamber of Commerce and, incidentally, I am a member of the Chamber of Commerce. I know how they feel, individually. The trouble is that you are fighting next year's campaign in this General Assembly. I do not care if Jim Duff wants to run for United States Senator. I would be in favor of it if he wants it so much. He is no harm down there; he does not hurt anybody; he does not do anything. So, if they want him back, I do not care. In fact, I would almost be tempted to give it to him if he would let you fellows loose to vote the way you want to vote. I am not disturbed over Jim Duff or anybody else. I come from the same kind of county as most of you men come from. By the grace of God, I have been elected five times to this Senate, once in the City Council and once over in the House of Representatives. I was defeated once, yes, for County Commisisoner. I was defeated because my people thought I should not be such a hog and I should not try to hold two political jobs. I think they were quite right at that particular stage.

Mr. President, my people are no different than yours. I am not fearful of my political future if I am doing what I think is the right thing. If you Republicans over there think you are going to saddle us with a sales tax and not deliver your twenty-six votes, you have got another think coming. We will deliver every vote we have for any tax proposal that we sponsor. If you do not want to give us the constitutional majority to put it through, then why do you not say so to the people and vote your twenty-six votes, and we will see that you get the bill with which to do it.

You are not going to put your finger on my trigger finger and make me commit murder and then convict me of it. You might make me do it, but I am going to plead innocent before the court of the people. You might push me off the precipice and then go around saying that I jumped, but if I live through it, I will deny it.

So, I say to you Members of this Senate, all of you, let us quit shadow boxing. The Speaker of the House of Representatives, Al Readinger, is as reasonable, as sensible and as honorable a man as I have ever dealt with in the twenty odd years that I have been here. He came over to the Senate in good faith, talked to the Senate Republican leaders and he said, "We have reached a stalemate in the House. We have passed over 500 bills, and sent them over to the Senate. The hotels say that they do not have room. Both sides have agreed that we will recess and be available at the call of the Speaker. When you fellows over there have made up your minds

on what kind of a tax bill you will give us votes for, we will always be available to come back." Little did he think that when he picked up the newspaper the following day, responsible Republican leaders castigated him for suggesting a recess. The Republicans said they were going to stay and bare their breast to the great duties of the Senate, and work here while they the House, went out and loafed on a recess.

I said that I had seen honor go down the drain. It used to be in this Senate that when you gave your word to anybody, somehow or another there was an unwritten code and you kept your word. You cannot reach any kind of an agreement because no one has the power to sit down and say, "This represents Republican thinking."

Tomorrow morning, we meet with the Governor. What is the purpose of the meetings? The purpose of the meeting is to try to iron out our differences on budgets. What are we told here today? We are told that the Appropriations Committee has them all set and they will be out Monday. What kind of a deal or a suggestion of a compromise is that? You are putting your finger on my trigger finger and you are trying to make me commit murder. Not only do you want me to commit it, but you want to convict me and hang me for it. No. You are a lawyer, Senator Mahany, and if you force us into that position, it will be your finger on the trigger, not mine. You are not going to force this Democratic administration into the position of sponsoring your bills. We will take the full responsibility for sponsoring the tax bills. We were even willing to sit down and try to compromise with you. However, I pick up the newspaper and it says, by Senator Taylor, "The only compromise is a sales tax." How do we compromise? The Governor has gracefully taken the beating that you administered to him.

You have said "Your bill is out." If we would not have stalled you for three days, you would have killed it as fast as it came over from the House. It would not have had a chance to have its head raised above the top of the desk of the Finance Committee Chairman. However, you killed it in quick fashion. Now you say to us, "After we get the budget bills out next week, then perhaps we can sit down and work out a tax program."

INTERROGATION

Mr. DENT. Mr. President, I now desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. It is always a pleasure, Mr. President.

Mr. DENT. Senator Mahany, will you compromise on a tax program that places fifty per cent of the taxes on industry and fifty per cent upon the people?

Mr. MAHANY. Mr. President, I think that industry is paying pretty much. At least, in the last budget, fifty percent of the taxes of the Commonwealth were paid by industry. I remember the corporation tax and the others in that tax pie dollar and I think that it showed where industry paid about fifty per cent of it.

Mr. DENT. I asked you a question. I did not say what they are doing. I asked you if you would sit down for a compromise on that basis?

Mr. MAHANY. Senator Dent, you know that I could not answer that question with a "yes" or "no." I would have to know what type of taxes. When you say "tax on industry," I would have to know whether it would be on capital stock tax, whether it would be a corporate net income tax increase and just what type of taxes and what rates and percentages you have in your tax legislation. Nobody could answer that question with a "yes" or "no."

Mr. DENT. Yes, you can. If I suggest that I let you write how it would be placed on industry, we will take what you write.

Mr. MAHANY. I am not prepared right now to tell you. I would want to study any tax proposal. Certainly one could not answer with an off-the-cuff answer to your question and say "yes" or "no." Personally, I might be in favor of it but as you know, we discuss these things in our Republican Caucus. I have no authority to answer for my Republican colleagues on such a question as you have asked me. I, personally, might be in favor of it, but the other Republican Senators may not be. I have no authority at this point to answer for them.

Mr. DENT. Would you tell me so that I can inform the House in order that they may stay in Session? It seems to be the desire of the Republican Senate that the House stay in Sesion. In order to give them some field to work in, will you tell me upon which field of taxation they might propose taxes that would be acceptable to you fellows?

Mr. MAHANY. Senator Dent, we have made our statement, a written statement, three or four weeks ago, to the Governor. We suggested to him that if he would avail himself of a sales tax, we were under the impression that he would get a sufficient number of Republican votes over here, along with yours, to pass it. We suggested a sales tax of two per cent with the present exemptions.

Mr. DENT. Thank you, Senator Mahany.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, maybe I do not hear right. I think I am getting a little thick somewhere. The doctor told me to lose weight and perhaps I should start losing the weight on my head. I just cannot seem to understand, Mr. President, what is going on. Senator Mahany said that, in writing, they told the Governor they were willing to compromise if he took a sales tax. Is that not what I have been saying all along? Their compromise consists of a sales tax but your leader over in the House says, "You cannot plant the sales tax on us, boys. It is Governor Leader's tax. He is stalling; he wants a sales tax but he wants to plant it on us."

Where do we go from here, Mr. President? We will stay in Session from now until the end of the biennium if you keep up the attitude that the only compromise you have is the sales tax; I will guarantee you that we will sit here until the end of the biennium. We are willing to compromise. We will take any compromise that you will accept, but not when you say to us that your only compromise will be on the sales tax and that only. That is not a compromise; that is your finger on my trigger finger. You are killing the fellow through me. You cannot do that to me. You just cannot. You might try it, and I guarantee you I will not jump off of the precipice; you will have to push me. When you do, you will deliver twenty-six votes, because that is your tax and not ours.

When you are not ready to deliver twenty-six votes, stand on this floor and say that you cannot deliver twenty-six votes. Then I will tell the people that you have no tax program .Either you take what we offer you or compromise on something, where you give a little and we give a little, or you can stay here until the end of the biennium so far as I am concerned.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, since I was a boy I have always been taught that to compromise is to give and take. When people arrived at a certain impasse, one gave a little and the other gave a little. In the Senate we hear about the great compromise the Republican Party offers. They say, "You take my way or do not take anything."

For the information of the Senate, sometime in the near future there is going to be an expose made of the millions of dollars that are beng spent to sell the sales tax to the people of Pennsylvania. They are using every means possible to change the method of taxation and place it on the little man, to beat him down to where they had him before. The Republican Comintern has sent out word that this must be carried out. Now we find the twenty-six members of the Senate dancing like puppets in a puppet show. When the dictator of the Comintern, Mason Owlett, yes, and Jim Duff, who plays under the table with them occasionally, pulls their strings, these twenty-six must jump. It is not representative government. It is the same type of government that is used in Russia. There the Comintern dictates and the presidium does the job. Here the Comintern of big business tells them what to do and the twenty-six Republican Senators go out and do it.

Since the Republican Senators are worried about going home, I would like to draw their attention to page 165 and page 166. There is a list of bills which have passed the House and which are dieing in the Senate Committees. No meetings have been held; no bills have been discussed, especially the bills which affect those people who they were crying about a little while ago. They were crying crocodile tears when they said they were protecting the little man, who works and toils for a living, from the classified income tax and trying to make him believe tthat he was going to pay the tax. Whereas, the Republican Senators were only hiding behind a screen to protect the investment bankers and the money interests of this State from paying their just share of the taxes.

I want to refer to the members of the press and tell them that they will find hundreds of bills which have not been considered in committee. I also want to draw to their attention the fact that the Appropriations Committee is not holding any meetings. The Appropriations Committee is afraid to hold a meeting and discuss cutting the budget. They tell us that the bills are coming out next Monday, the appropriation bills which are cut. I would like to know who cut them. The members of the Appropriations Committee did not cut them. The Republican Comintern behind the scenes, which is working in the hotels late at night, is working on the budget and trying to deny the mentally retarded children in western Pennsylvania of getting into hospitals. They have been waiting for seven years, Mr. President, and they still cannot get into the mentally retarded hospitals. Mental patients who are now in mental hospitals, who are being treated as criminals, are not given the proper medical attention and the proper treatment in order to rehabilitate them. We in Pennsylvania are down at the bottom of the list. The Republican Party, however, is still taking orders from the Republican Comintern which says, "Cut the budget .What do we care for these people in mental institutions? They cannot vote. Let us keep them in the mental institutions."

The same thing exists with our schools. The schools of Pennsylvania rank down near the bottom. Think of it. We now have classes in Pennsylvania of sixty-three pupils. Then we wonder why we are not getting the proper material to go into our colleges to take up engineering courses. One out of every four who applied for engineering course was turned down because he did not have ample qualifications. Why do they not have the ample qualifications? Because the schools were overpopulated. They had more children in those rooms in high schools and public schools than they should have in order to give them a proper education.

Mr. President, I agree with Senator Dent. I am willing to stay here as long as you want to stay. As long as I stay here, however, I am not going to take a compromise that will put the burden of taxation on the poor man of Pennsylvania. The families back home in my District, who have four, five and six children, should not have the burden put upon them. Anyone who know economics knows that when you cut into the purchasing power of people, you bring on a depression. I do not know whether the Republican Party has learned a lesson from the last depression. Then they found out that the purchasing power destroyed the conditions of those days. Now, they are working on the basis of again cutting down the purchasing power of the people of Pennsylvania by a sales tax. Take the man and woman who has five and six children. When they go to the store to buy anything, they pay three per cent. If they have five children, that is fifteen per cent and with the mother and father, it is twenty-one per cent. What you take away from those people decreases their buying power by twenty-one per cent through a sales tax.

The reason why the Republicans fought a classified income tax was because they knew that the eighty-two per cent was going to be paid by the people who could afford to pay those taxes. Eighteen per cent was going to be on the great millions of workers of Pennsylvania. That is why the Republicans defeated it. The only reason why you are hollering about a sales tax is because the men who paid your campaign expenses, who put the millions of dollars in the Republican Party, are demanding from you that you pay back some of the money they gave you when you ran. That is why you want a sales tax. You want to take the burden off the rich of Pennsylvania and put it on the poor workingmen and women of Pennsylvania.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, I do not want to prolong this discussion, but I cannot let go unsaid some things.

The distinguished gentleman from Allegheny County talks about crocodile tears. I wonder where his crocodile tears were last fall when he was out campaigning for Governor Leader and promised the people of Pennsylvania that they would receive economy. Now you are saying that we are letting down the mentally retarded children.

We told you in that campaign that the budget would have to be raised; that the sales tax would have to be raised from one per cent to two per cent. However, you went out and told the people of Pennsylvania that you did not need a sales tax, a wage tax, that you were going to economize in government and balance the budget. Now, you have changed your tune. I still feel that the budget which was presented to us can be cut. If a two per cent sales tax comes over with the present exemptions, I am willing and ready to vote for it. I am also willing and ready to sit down at any time to vote on a compromise. If you give a little, I will give a little.

I have not talked to Jim Duff in six months. Do not talk about Jim Duff or Mason Owlett as being the Republican Comintern. I have not seen either of them for six months and they do not tell me how to vote no matter how much you are trying to push that down on the people of Pennsylvania.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, if I remember correctly and, if you wish, I may be able to bring in the notes or the clippings I have of the campaign in the last election. I would state that the Republican candidate for Governor, Mr. Wood, had many different motions, different movements and different statements on the sales tax. No one knew where he was. In fact, he made me think of a hula-hula dancer trying to do the hula-hula with the hives. His movements were in all directions.

As far as the old story is concerned, I refer the gentleman from Armstrong, Senator Pechan, to the fact that we had a platform. We ran on that platform and we are living up to that platform. Of course, the Republican Party, I understand, has had platforms, but they forget the platforms after they get elected. We have a platform and I have the right to tell the gentleman that in my District I ran on the platform, which has not changed a bit. I promised them that I was going to do something for the mentally retarded children, which the Republican Party has not done. I told them I was going to do something for the mental institutions, which the Republican Party has not done. If he refers to the Pittsburgh Press, the Pittsburgh Sun-Telegraph and the Post-Gazette, I do not think you will find in any part of my campaign where I said anything, with one exception, that I would not vote for a sales tax. No one in Pennsylvania realized the terrible mess we were getting into, because we had not a chance as Senators to make a study of how the Republican Party was administering the government. No one realized the conditions around our mental institutions. No one realized the conditions in our mentally retarded institutions. No one realized the terrible mess of our bookkeeping department. No one realized the number of people who should have been paying corporate net income taxes and were not paying corporate net income taxes. Some did not pay what they should have paid. I am in hopes that out of some of the investigations made by the Revenue Department, the Attorney General will bring into court some of the good donators to the Republican Party and then perhaps they will find out that some of the money given them should have been paid on corporate net incomes.

Mr. President, I am very glad to hear from the gentleman from Armstrong, Senator Pechan, that Senator Duff is not his boss. That is up to Senator Pechan's conscience to decide that, not mine. It is also up to his conscience to decide whether or not he is taking orders from the Comintern of the Rpublican Party. I do know that I have yet to see him break the unit rule.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, first, I believe Senator Barr misunderstood what I said. I did not say that the Appropriations Committee was having meetings this week, or last week. I said that they, no doubt, would have a meeting next week. Of course, that is all within the province of Senator Chapman, who is Chairman of the Appropriations Committee, as to whether they will have any meetings. I presume, and hope, that they will have meetings the first part of the week. There has been some spade work done by some of the Senators on this side as to figures which they estimate would be justified in being placed in the amended appropriation bills, or possible amendments to be presented. No doubt, some of the spade work has been done by the gentlemen on the other side of the aisle. I hope that has been done. Then we will be able to get together, I hope, and try to work out a final figure to be placed in these amendments. Perhaps, that is too much to ask for. Perhaps, it will be impossible for us to arrive at a compromise figure. If it is impossible, then we will have to present our figure and have it brought out here on the floor, because there is no question that we have a majority in the Appropriations Committee and it probably will be reported out with that figure in the amended bill. Then, they over on the other side of the Capitol, the House of Representatives, dominated by the Democrats, if they do not agree with that figure, then they will not concur in any amendments and it will have to go to a conference committee. That is the legislative process, and I feel sure that none of my Democratic brothers would like to deviate from that.

As far as taking orders is concerned, Mr. President I do not remember of a time when I ever took any orders from any Russians or communists or anybody connected with that line. I have never taken any orders from any big shot millionnaires. I have tried to listen to the voice of the people who elected me. If that is wrong, then I am wrong. When I go back home, Mr. President, I find a great many people, poor people on the streets, middle class people, and perhaps people who have their share of the money of the world, people who, perhaps, we might call in the wealthy class. I do not know how many refrigerators they bought or how old their refrigerators are. I have not checked that; but the people who talk to me, in large numbers, back in Crawford and

Mercer Counties, tell me, "For heaven's sakes, go back down to Harrisburg and try in some way or other to convince Governor Leader and the Democrats that we should have a sales tax."

I tell them, "I am doing everything I can. I have written it in every kind of language but Indian smoke signals. They still do not see the handwriting on the wall, but I will go back again next week and I will convey your mesage down there to those people. I hope that some day or other we will be able to come up with the kind of tax that you want."

If there are any other kinds of taxes which they would like to present, we are willing to listen. Perhaps, we can in addition to the sales tax, or even if the sales tax is eliminated, try to enact some kind of a tax program which will do the job in Pennsylvania. The only people who are my bosses are the people back there in my District who voted not only for Mahany, but for the other fellow, too. I listen to them.

Senator Dent, concerning that legal argument, it seems to me that I have been reading in the newspapers about that finger on the trigger. You are using the same kind of defense that Mr. Haines down in Cumberland County is using. He said it was a magic trigger. He said he did not pull it at all. It was somebody else. "The Judge shot himself," I think he said.

I do not know whether you are going to get away with that argument. I will have to keep in touch with the Haines trial, down in Cumberland County, to see how that fellow makes out.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I was trying to find out where Senator Mahany got his word, and now I have found out. It was not a communist, it was not Mason Owlett, it was not Senator Duff and it was not any of the big money bags or any people like that; it was the Indians. He said that they gave him smoke signals and we cannot read them. Well, we are poorly educated in Indian languages on this side. We do not understand these smoke signals which you get from up at Meadville.

Mr. President, I want to tell you something about the man—what is the man's name over here who you said shot the judge by miracle?

Mr. MAHANY. HAINES—H-a-i-n-e-s.

Mr. DENT. He did not have anybody's finger on the trigger but his own. I am not saying that if I hold the gun and do the shooting, that we will not take the blame. We are willing to hold the gun, we are willing to do the shooting and we will take the blame, but you are not going to put your finger on my trigger finger and stand behind me and pull it. That is one thing you will not do.

However, Mr. President, I do not want to delay this argument. I think that everytime the Senator gets on the floor he digs the hole a little deeper. He said that they give him these signals up there, and he now comes down and says, "They cannot see the smoke signals and they do not understand, but I am hoping that some day they will and then we will come up with the kind of a tax program we want." It looks like we will never have any kind except the kind we want, the "we" being they.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I do not think this microphone over here works just properly. I said, Senator, that I had given you that message in every kind of language except the Indian smoke signal. I have not used Indian smoke signals yet.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, I have been here for nine months now and the record shows that up until this moment I have taken no part whatsoever in telling anyone how I feel about the tax program. I have condemned neither side, but I am getting somewhat impatient. I also have a responsibility in this Chamber to the people of Pennsylvania. I am an employer and an employee. I will be affected in a number of ways by any program they place upon our statutes. I cannot absolve either side from sin. I cannot quite agree with my colleagues on this side that they cannot vote for a sales tax, under no circumstances, nor can I agree with the Republicans that it must be a sales tax.

There must be a common meeting of minds. We must pass a program. Something must be done. Something should have been done a long time ago, and name-calling and loud words will settle no program.

Mr. President, it is true that Governor of the Commonwealth made certain promises, but so has every other Governor and probably all in good faith. In my twenty-one years in this Chamber, none of them have fulfiled their promises; not one of them.

Mr. President, we have a responsibility and it must be met. I voted for the Governor's program not because I liked it, but I felt it was my duty to support a program. I am one in this Chamber who will vote for a sales tax if that should be the ultimate answer. I will not walk out and say that I cannot vote for a sales tax. I do not like it, but who does? If one vote is needed to pass a sales tax and expedite our work, it will be my vote, Mr. President.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 267, entitled:

An Act amending the act of June 24, 1939 (P. L. 746), entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons, and validating the acquittances of such minors and validating the acquittances of either person in a joint account, under certain conditions; and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee," further outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee.

Senate Bill No. 277, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintaenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor districts auditors, and providing for the temporary employment of certain of them; providing for the transfer vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," further providing for the administration of the fiscal affairs of the county institution districts in counties of the third to eighth classes, regulating the making of contracts and purchases authorizing such districts to take by gift, grant, devise or bequest money and property and conferring powers and imposing duties on county commissioners, county treasurers, county controllers and county auditors.

Senate Bill No. 456, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," conferring exclusive jurisdiction on certain courts over service.

Senate Bill No. 459, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school ditricts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court, clarifying the provisions of the act as to the aggregate amount of taxes any political subdivision may levy during a fiscal year, and extending certain temporary provisions relative thereto; providing for the publication of notices concerning certain tax ordinances and resolutions; and permitting the imposition of taxes free from certain restrictions prescribed by existing laws.

Senate Bill No. 508, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," requiring directors of departments to prepare and submit quarterly reports to the Director of the Department of Accounts and Finance.

Senate Bill No. 603, entitled:

An Act amending the act of June 24 1937 (P L 2017) entitled "An act creating each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" authorizing the sale of surplus farm products and other personal property

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, September 27, 1955, at 9:45 o'clock, a. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:28 o'clock, p. m., Eastern Standard Time, until Tuesday, September 27, 1955, at 9:45 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, September 26, 1955

The House met at 3:30 p. m. EST.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

Rev. Humphrey E. Caputo, O. F. M., Pittsburgh Franciscan Misisonary, who spent six years in Honduras, guest Chaplain, and guest of the gentlemen from Allegheny, Messrs. Mihm and Sarraf, offered the following prayer:

Oh, Almighty Father and creator of the human race, prime professor of reason, wisdom and truth, model of righteousness and justice itself, legislator supreme, look down upon these thy humble servants and ministers of the people of the Commonwealth of Pennsylvania. Let order reign supreme in our deliberations. Let right reason be the guide of our thoughts; let the common good, not personal gain nor political ambition, be our aim. As there is but one truth and one way, let all our labors tend towards Thy honor and glory. Let our human legislation be modeled faithfully upon the dictates of the divine law, as we are modeled to Thy image and likeness.

We are human and recognize our bent towards error. We, therefore, beseech Thee, our heads lowered in humble prayer, to overlook our short-comings and guide our every effort towards the proper end for the common good.

And especially in these days when the whole world seems to be concerned about the state of health of our president, Dwight David Eisenhower, we ask Thee for his complete recovery and speedy return to the active duties of his office.

God bless all of us. We are so in need of Thy blessings. Amen.

JOURNALS APPROVED

The Speaker. Are there any corrections to the Journal of Monday, September 12, Tuesday, September 13, Wednesday, September 14, Monday, September 19, Tuesday, September 20 and Wednesday, September 21, 1955? If not, and without objection, the Journals are approved.

COMPLIANCE WITH PENNSYLVANIA LOYALTY ACT

The SPEAKER announced the acknowledgement of copies of report to the Governor of the Commonwealth filed in compliance with Section 13 of the Pennsylvania Loyalty Act of December 22, 1951 (P. L. 1726), on behalf of the following institutions:

Leslie Pinckney Hill, Administrator
Mercy-Douglas Hospital
Philadelphia 43, Pa.

Sister Mary Joan, Superintendent
Mercy Hospital
Wilkes-Barre, Pa.

Horace M. Bond, President
Lincoln University
Lincoln University, Pa.

H. W. Maysent, Assistant Director
Lankenau Hospital
Philadelphia 31, Pa.

J. Robert Bazley, President
Board of Managers
The Pottsville Hospital
Pottsville, Pa.

Sister Cor Mariae, Superintendent
Saint Joseph's Hospital
Carbondale, Pa.

Mr. James Work
National Agricultural College
Farm School, Pennsylvania

C. F. Kirschler, Jr., President
Board of Managers
St. Francis General Hospital & Rehabilitation Institute
Pittsburgh 1, Pennsylvania

Dr. Burgess L. Gordon, President
Womans Medical College of Pennsylvania
Philadelphia 29, Pa.

Harry J. Frederick, Administrator
St. John's General Hospital
3339 McClure Avenue
Pittsburgh 12, Pa.

Jerome T. Bieter, Administrator
Uniontown Hospital Association
Uniontown, Pennsylvania

COMMUNICATION

RESOLUTION—WARREN COUNTY FEDERATION OF WOMENS CLUBS

The SPEAKER laid before the House a resolution adopted by the Warren County Federation of Womens Clubs recommending legislation permitting absentee voting in primary and general elections.

Referred to the Committee on Elections and Apportionment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 973.

An Act amending the act of June 24 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting certain sales of Salk polio vaccine

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. BONNER asked and obtained unanimous consent to address the House.

Mr. Speaker, it is now several weeks since Governor Leader's industrial expansion program passed this House, August 2nd to be exact.

This program is designed to bring employment to the blighted areas of our state, particularly the bituminous and anthracite coal fields. Just what action the Senate plans about these proposals I do not know, but I do know that despite the glowing reports of prosperity and high earnings that we read and hear about in our section, unemployment is still ravishing, unemployment is washing away the very foundation of everything we hold dear in the anthracite coal fields.

Lest we forget, both the Republican and Democratic parties in the last several gubernatorial campaigns prom-

ised and promised to bring industrial relief to these sorely distressed communities.

I sat in my seat during the length of this session, I heard repeatedly, time and time again, the phrases, "Who are you kidding," "who are you trying to fool," and "let's be fair." The people of the anthracite and other unemployed areas in our state have been tragically kidded, sadly fooled and not treated fairly either by the state or federal government. They have been encouraged through phony political promises of industrial aid to buy homes and invest in local business enterprises, and their family roots have grown deeper and deeper in their beloved communities only to have their hopes and investments die on the vine of broken campaign pledges.

Mr. Speaker, if neither the state nor Federal government intends to aid these people as they have promised, it will be better to tell them the truth now that in order to live in a distressed area they will have to rely on bird-dogging and rugged individualism to carve out an existence for themselves and their families.

How our government can be so callous to the wants and needs of so gallant and deserving a people, who have never turned down a plea for aid and have contributed so generously to the growth and greatness of our nation, is inconceivable and beyond the realm of imagination. It is a strange paradox, paradoxical indeed, that the anthracite region which gave one of the highest ratios of people in service in World War II, and probably the highest rate of casualties, should be so lightly treated.

Besides allowing oil imports, we give to those who sought to destroy us the benevolence of our country's generosity, and although this is a godly and worthwhile project, we must remember too that charity begins at home. I do not mean to imply that we seek charity. All they ask is an opportunity to work, an opportunity to earn their own livelihood so that they may be able to continue to do their share and pay their share to continue properly the pursuit of happiness.

Recently I read in the newspapers that the Pennsylvania Senate insists on staying in weekly session until our tax problems are solved. How long, may I ask, are they willing to stay in session to solve Pennsylvania's unemployment problems? I voted for the classified income tax bill because it provided industrial aid to these sorely distressed regions, and I cannot now conscientiously vote for any new tax plan that does not spell out in black and white and round numbers the aid to be given to these people.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Kooker for Mr. KELLER for the week because of illness.

Mrs. Pashley for Mr. McKEEVER for the week because of illness.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. OLSEN asked and obtained permission for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

Mr. POLASKI asked and obtained permission for the Committee on State Government to meet during the session of the House.

PRESENTATION

The CHIEF CLERK (Benjamin L. Long). Mr. Speaker, one of the oldest and most faithful employes of this House, one who has served through very many sessions, long before any present Member first took his seat, Mr. Lilly, the message clerk for the House of Representatives, is now 55 years married.

Therefore, Mr. Speaker, I should like to present to Mrs. Lilly this little token of appreciation from the Chief Clerk and the members of the House. I believe they are going to have a little tete-a-tete at the Penn-Harris Hotel after the session, just the two of them.

The SPEAKER. Will Mr. Lilly and Mrs. Lilly please rise?

Off and on the Chair has been in contact with Mr. Lilly either directly, or rather intimately indirectly through the Press of this House, and in all of that time the Chair has never known of any employe of this House who has excelled Mr. Lilly in faithful service.

PERMISSION TO ADDRESS HOUSE

Mr. McCORMACK asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to direct my remarks especially to the Minority Floor Leader. I have sat here during this session of the Legislature and heard the Minority Leader make what I considered reckless statements. I am happy to say at this time that I am in position to prove that some of the statements he does make are reckless.

Last Monday night, Mr. Speaker, I was standing outside of the Capitol waiting for a ride to Philadelphia and the Minority Floor Leader asked me if I was going down, saying he would take me as far as Lansdale. We drove to Lansdale and on the way down the Minority Leader said a train left Lansdale for Philadelphia every 20 minutes. We arrived at the Lansdale railroad station in the teeming rain at approximately 8:30 p. m. The Minority Floor Leader said "Good night" to me and drove away. I went up to the station window and asked what time the next train left for Philadelphia, and was informed the next train left at 10:15 p. m.

The SPEAKER. The Chair certainly believes this grave accusation upon the accuracy of the Minority Leader's statements calls for some immediate explanation.

Mr. CHARLES C. SMITH. Mr. Speaker, the only explanation I can give is that sometimes for expediency we do say certain things. To have the pleasure of the gentleman's company even as far as Lansdale was worth stretching the truth a little bit.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 166, entitled:

An Act amending the act of June twenty-five one thousand nine hundred forty-seven (Pamphlet Laws 1145) entitled as amended "An act empowering cities of the

second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts ofthe fourth class to levy assess and collect or to provide for levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance of resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" temporarily excluding under certain conditions taxes imposed on real property transfers in certain school districts in determining tax limitations

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 343, entitled:

An Act amending the act of June 2 1915 (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" providing for payment by insurance carrier held liable by decision of referee and filing of bond by insurance carrier relieved of liability conditioned upon payment of amount of its liability fixed by final appellate decision

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 154, Printer's No. 976,
House Bill No. 375, Printer's No. 912,
House Bill No. 554, Printer's No. 920,
House Bill No. 555, Printer's No. 921,
House Bill No. 824, Printer's No. 922,
House Bill No. 1060, Printer's No. 967, and
House Bill No. 1390, Printer's No. 923,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1735, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the speed of certain vehicles.

RECONSIDERATION OF VOTE

Mr. AMARANDO. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. AMARANDO. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 1002), page 3, line 8, by striking out at the end of the line after the word "provided" the following: "or greater than the."

Amend Section 1 (Section 1002), page 3, by striking out lines 9 to 11, inclusive.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 115, as follows:

An Act amending the act of December five one thousand nine hundred thirty-six (one thousand nine hundred thirty-seven P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" further defining "unemployed" as to members of the General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (u) of section 4 act of December five one thousand nine hundred thirty-six (one thousand

nine hundred thirty-seven P. L. 2897) known as the "Unemployment Compensation Law" amended August twenty-four one thousand nine hundred fifty-three (P. L. 1397) is amended to read

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

* * *

(u) "Unemployed" An individual shall be deemed unemployed (I) with respect to any week (i) during which he performs no services for which remuneration is paid or payable to him and (ii) with respect to which no remuneration is paid or payable to him or (II) with respect to any week of less than his full-time work if the remuneration paid or payable to him with respect to such week is less than his weekly benefit rate plus six dollars ($6) Provided That for the purposes of this subsection (i) vacation pay and similar payments whether or not legally required to be paid and (ii) wages in lieu of notice separation allowances dismissal wages and similar payments which are legally required to be paid shall be deemed remuneration paid or payable with respect to such period as shall be determined by rules and regulations of the department Charges resulting exclusively from the payment of benefits made solely by reason of this particular amendment of this particular subsection shall be considered only on the basis of a five year average in the determination of the contribution rate of base year employer For the purposes of this subsection an individual who (1) is a member of the General Assembly (2) engages in employment covered by this act and (3) is otherwise entitled to its benefits shall be deemed unemployed as to such term of service in the General Assembly with respect to any week after sine die adjournment during which such body is not in session

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EWING. Mr. Speaker, if I am in order, may I be permitted to make a brief statement on this bill?

Mr. MORAN. Mr. Speaker, this bill is probably misunderstood by some of the Members of the House. This is a bill that we passed in 1953. The bill does nothing more than permit the Members of the Legislature, the Members of the House and the Senate, who may be employed in industry covered by unemployment compensation, to become eligible for unemployment compensation after the session adjourns sine die, but not while they are in session. If Members go back to their jobs or if they are still on the payroll, they will be eligible for unemployment compensation.

I made this statement on the floor in the last session. I was told that I was not eligible for unemployment compensation because I was a Member of the Legislature, and this bill is to protect the Members of the Legislature who are employed in industry and covered by unemployment compensation. It does not do any more than that. I myself can get no benefit from this. I am retired, I can get no benefit from it, but I do believe that I would like to see this bill passed in order to protect other Members of the Legislature from going through the same rigamarole that I went through.

Now, ladies and gentlemen, if there is any question on this that is not clearly understood, I would be glad to try to answer the interrogation.

The SPEAKER. For what purpose does the gentleman from Allegheny rise?

Mr. EWING. Mr. Speaker, I am in error. I thought we were on House Bill 1706. I have no debate on 115 whatever.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—113

Adam,	Flint,	Markley,	Rigby,
Amarando,	Floyd,	Maxwell,	Rovansek,
Anderson, M. S.,	Flynn,	McCann,	Sarraf,
Anderson, S. A.,	Foster,	McGee,	Scarcelli,
Auker,	Frascella,	McInroy,	Smith, C. C.,
Banker,	Frost,	McLaughlin,	Smith, Wm. B.,
Barnatovich,	Gaffney,	Meholchick,	Snider,
Bell,	Garlock,	Metz,	Stank,
Boles,	Gibson,	Mikula,	Steckel,
Bower,	Guss,	Moran,	Stephens,
Breisch,	Hamilton, R. K.,	Muldowney,	Stone,
Brennan, A. P.,	Haudenshield,	Mullen,	Swartz,
Brennan, J. J.,	Hocker,	Munley,	Taylor,
Brenninger,	Jenkins,	Murphy,	Thomas,
Breth,	Johnson,	Murray, H. P.,	Thompson,
Bucchin,	Jones, T. H. W.,	Musto,	Varallo,
Bullen,	Jump,	Needham,	Wallace,
Capano,	Kamyk,	Olsen,	Walsh,
Cianfrani,	Kolankiewicz,	O'Neil,	Weidner,
Cioffi,	Kooker,	Pacchioli,	Welsh,
Cochran,	Kornick,	Parry,	Wescott,
Comer,	Kratz,	Pashley,	Wheeler,
Connelly,	Kubacki,	Paulhamus,	Whitenight,
Cooper,	Leiby,	Polaski,	Willaredt,
Curwood,	Leonard,	Polen,	Williams,
Donahue,	Limper,	Readinger,	Yetzer,
Erb,	Lippincott,	Reidenbach,	Andrews,
Ewing,	Lopresti,	Renwick,	Speaker
Filo,	Lovett,		

NAYS—52

Agnew,	Helm,	McCormack,	Stoner,
Ashton,	Henzel,	McWherter,	Strausser,
Bonner,	Hewitt,	Miller,	Toomey,
Brown,	Horst,	Moscrip,	Tompkins,
Davis,	Houk,	Murray, P. G.,	Varner,
Down,	Kent,	Naugle,	Wall,
Ehrgood,	Kromer,	Ogilvie,	Wargo,
Eshleman,	Lafore,	Petrosky,	Waterhouse,
George,	Lawyer,	Pursley,	Wilt,
Gibb,	Leisey,	Royer,	Wood,
Gramlich,	Light,	Rudisill,	Worley,
Greenwood,	Magee,	Stebbins,	Ziegler,
Hass,	Mahan,	Stevenson,	

NOT VOTING—45

Bazin,	Guthrie,	Luttv.	Rosen,
Blair,	Hamilton, W. H.,	McKeever,	Rubin,
Boory,	Heavey,	Mihm,	Schuster,
Branca,	Holt,	Mills,	Sherman,
Donaldson,	Isaacs,	Monroe,	Sigman,
Dougherty,	Jones, G. E.,	Moody,	Spencer,
Ellberg,	Kehler,	Murray, J. J.,	Stroup,
Farabaugh,	Keller,	Pettigrew,	Toll,
Fineman,	Kline,	Pomeroy,	Vaughan,
Frank,	Knecht,	Price,	Verona,
Gelfand,	Leven,	Reibman,	Yetter,
Goldstein,			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. ROBERT K. HAMILTON asked and obtained permission for the Committee on Insurance to meet during the session of the House.

Mr. BRETH asked and obtained permission for the Committee on Conservation and Wild Life to meet during the session of the House.

Mr. BOIES asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

Mr. AMARANDO asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 257, Printer's No. 679,
House Bill No. 369, Printer's No. 316,
House Bill No. 370, Printer's No. 868,
House Bill No. 501, Printer's No. 913,
House Bill No. 873, Printer's No. 875,
House Bill No. 929, Printer's No. 876,
House Bill No. 1055, Printer's No. 930 and
House Bill No. 1101, Printer's No. 878

were passed over at the request of the SPEAKER.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 1111, entitled:

An Act enabling the Department of Procurement of counties of the first class to establish by resolution the requirements of responsible bidders for county printing.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. LIMPER. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Counties—First Class.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1116, entitled:

An Act enabling governing bodies of cities of the first second and second class A to establish by ordinance the requirements of responsible bidders for city printing.

On the question,

Will the House agree to the bill on third reading?

Mr. LIMPER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, line one of Title, by striking out "first."

Amend Sec. 1, page 1, line 1 by striking out "first."

Amend Section 1, page 2, lines 1 and 2 by striking out "(1) That the printing shall be done within the county where the city is situated."

Amend Section 1, page 2, line 3 by striking out "(2)" and inserting in lieu thereof "1."

Amend Sec. 1, page 2, line 8 by striking out "(3)" and inserting in lieu thereof "2."

Amend Sec. 1, page 2, line 14 by striking out "(4)" and inserting in lieu thereof "3."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 1219, Printer's No. 383
House Bill No. 1236, Printer's No. 692
House Bill No. 1268, Printer's No. 896,
House Bill No. 1388, Printer's No. 934,
House Bill No. 1391, Printer's No. 935,
House Bill No. 1413, Printer's No. 834,
House Bill No. 1562, Printer's No. 607,
House Bill No. 1618, Printer's No. 837, and
House Bill No. 1695, Printer's No. 950

were passed over at the request of the SPEAKER.

There being no objection

House Bill No. 1707, Printer's No. 842

was passed over at the request of Mr. READINGER.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FILO asked and obtained permission for the Committee on Boroughs to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1736, as follows:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" removing the right of appeal to the Governor in cases of incorporation merger consolidation and conversion of building and loan associations and Federal savings and loans associations and making the decision of the Department of Banking conclusive

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection C of section 306 act of May 5, 1933 (P. L. 457) known as the "Building and Loan Code" is amended to read

Section 306 Approval of Articles by .Department of Banking

* * *

C If the Department of Banking disapproves the articles it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the proposed incorporators of the action of the Department of Banking and of

the reasons therefor as stated to it by that department [The proposed incorporators may within thirty days after the Department of State gives them notice of the disapproval of their articles appeal from such disapproval to the Governor who shall hear such appeal promptly and within thirty days thereafter decide the matter and certify his decision to the Department of Banking] The decision of the [Governor] Department of Banking shall be conclusive and not subject to any review [The Department of Banking shall act in accordance therewith]

Section 2 Subsection C of section 1006 of the act amended March 15, 1937 (P. L. 63) is amended to read

Section 1006 Approval of Articles of Merger Consolidation or Conversion by Department of Banking * * *

C If the Department of Banking disapproves the articles of merger consolidation or conversion it shall return them to the Department of State stating in detail its reasons for doing so The Department of State shall immediately give notice to the associations or Federal savings and loan associations desiring to merge consolidate or convert or to the Federal savings and loan association desiring to convert of the action of the Department of Banking and of the reasons therefor as stated to it by that department [Such associations or Federal savings and loan association may within thirty days after the Department of State sends them notice of the disapproval of their articles of merger consolidation or conversion appeal from such disapproval to the Governor who shall hear such appeal promptly and shall within thirty days thereafter decide the matter and certify his decision to the Department of Banking] The decision of the [Governor] Department of Banking shall be conclusive and not subject to review [The Department of Banking shall act in accordance therewith]

Section 3 This act shall take effect immediately

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Auker,	Gibson,	McCormack,	Sherman,
Banker,	Gramlich,	McGee,	Sigman,
Barnatovich,	Greenwood,	McInroy,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Spencer,
Boies,	Hamilton, W. H.,	Metz,	Stank,
Bonner,	Hass,	Mihm,	Stebbins,
Boory,	Haudenshield,	Mikula,	Steckel,
Bower,	Heavey,	Miller,	Stephens,
Branca,	Helm,	Mills,	Stevenson,
Breisch,	Henzel,	Monroe,	Stone,
Brennan, A. P.,	Hewitt,	Moody,	Stoner,
Brennan, J. J.,	Hocker,	Moran,	Strausser,
Brenninger,	Holt,	Moscrip,	Stroup,
Breth,	Horst,	Muldowney,	Swartz,
Bucchin,	Houk,	Mullen,	Taylor,
Bullen,	Isaacs,	Munley,	Thomas,
Capano,	Jenkins,	Murphy,	Thompson,
Cianfrani,	Johnson,	Murray, H. P.,	Toll,
Cioffi,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cochran,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Comer,	Jump,	Musto,	Varallo,
Connelly,	Kamyk,	Naugle,	Varner,
Cooper,	Kehler,	Needham,	Vaughan,
Curwood,	Kent,	Ogilvie,	Verona,
Davis,	Kline,	Olsen,	Wall,
Donahue,	Knecht,	O'Neil,	Wallace,
Donaldson,	Kolankiewicz,	Pacchioli,	Walsh,
Dougherty,	Kornick,	Parry,	Wargo,
Down,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lafore,	Pettigrew,	Wescott,
Eshleman,	Lawyer,	Polaski,	Wheeler,
Ewing,	Leiby,	Polen,	Whitenight,
Farabaugh,	Leisey,	Pomeroy,	Willaredt,
Filo,	Leonard,	Price,	Williams,
Fineman,	Leven,	Readinger,	Wilt,
Flint,	Light,	Reibman,	Wood,
Floyd,	Limper,	Reidenbach,	Yetter,
Flynn,	Lippincott,	Renwick,	Yetzer,
Foster,	Lopresti,	Rigby,	Young,
Frank,	Lovett,	Rosen,	Ziegler,
Frascella,	Lutty,	Rovansek,	Andrews,
Frost,		Royer,	Speaker

NAYS—5

Ashton,	Kooker,	Pursley,	Worley,
Brown,			

NOT VOTING—3

Goldstein,	Keller,	McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1773, Printer's No. 959,

House Bill No. 1781, Printer's No. 974, and

Senate Bill No. 192, Printer's No. 246

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 268, as follows:

An Act amending the act of May 5 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further defining and limiting the rights powers duties liabilities and immunities of such associations and making further provisions governing the transfer of shares the payment of trustee accounts authorized investments security for mortgage loans and loans secured by chattel paper

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section 2 act of May 5, 1933 (P. L. 457) known as the "Building and Loan Code" is amended by adding after the definition of "Incorporator" a new definition to read

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

* * *

"Leasehold Interest" means a lease upon real estate which is security for the payment of an obligation and which by its terms is a lease having a period of not less than fifty years to run from the date the obilgation on such leasehold is executed or is renewable for a period of at least fifty years from the date of the obligation and the right of renewal of the lease on behalf of the lessee shall be vested in the mortgagee until the obligation is eliminated or paid off

* * *

Section 2 The definition of "Mortgage Loans" in sub-

section a of section 2 of the act amended May 15, 1945 (P. L. 485) is amended to read

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

* * *

"Mortgage Loans" means loans which are secured pursuant to the provisions of this act by the bond of the borrower by a mortgage on real [property] estate in fee simple or on a leasehold and by installment shares or direct reduction loan shares

* * *

Section 3 Section 610 of the act is amended to read

Section 610 Death of One Holding Shares as Trustee Whenever shares of an association shall be issued to any person describing himself in subscribing for such shares as trustee for any person or persons and no notice of the exitence and terms of a valid trust than such description shall have been given to the association the dividends or earnings on such shares as well as the withdrawal or maturity value of such shares shall in the event of the death of the person so described as trustee be paid to the person or persons for whose benefit the shares were stated to have been subscribed if at the time of [such death] payment such beneficiary is over sixteen years of age [If he is a minor not less than sixteen years of age such payment] Payment shall be made to [him] any such beneficiary who is not less than sixteen years of age under the same condition as [in the case of] if such shares had been originally subscribed for by [such minor] him If there are two or more beneficiaries named on any such shares the association shall in the absence of written notice to the contrary make payment to such of the beneficiaries as may survive the trustee in equal portions The receipt or acquittance of any such beneficiary or beneficiaries for payments made in accordance with this section shall be a full complete and valid release of the association from any further liability for the amounts so paid

Section 4 Section of the act amended March 15, 1937 (P. L. 63), is amended to read

Section 611 Transfer of Shares A Installment optional payment or direct reduction loan shares [for which share certificates have not been issued] shall be transferable in the manner provided by the by-laws of the association or in the manner provided on any certificate that may be issued for such shares provided such [by-laws]by law or certificate provisions are not inconsistent with law

B Except as otherwise specifically provided in this act the transfer of full-paid shares [for which share certificates have been issued] and the share certificates representing them [may be regulated by the by-laws provided such by-laws are not inconsistent] shall be in accordance with the provisions of the Uniform [Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (P. L.] [one hundred twenty-six] Commercial Code of April 6 1953 (P. L. 3) its amendments and supplements

Section 5 Section 803 of the act amended May 15, 1945 (P. L. 485) is amended to read

Section 803 Authorized Investments [A] Except as otherwise specifically provided in this act an association shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged

(2) Bonds [or] debentures [issued by a] or other obligations of the Federal Home Loan [Bank or consolidated debentures issued by the Federal Home Loan Bank Board] Banks issued under the provisions of the Federal Home Loan Bank Act approved by twenty-second day of July one thousand nine hundred twenty-two its amendments and supplements

(2.1) Bonds or interest-bearing debentures issued by the Federal Savings and Loan Insurance Corporation under the provisions of Title IV of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred thirty-four its amendments and supplements

(3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or those for the payment of principal and interest on which the faith and credit of this Commonwealth is pledged

(4) Obligations issued by the Federal National Mortgage Association under the provisions of the National Housing Act its amendments and supplements but the aggregate amount of all such investments held by an association at any one time shall not exceed five per centum of its total share capital

(5) Stock of the Federal National Mortgage Association acquired by an association through making nonrefundable capital contributions in connection with the sale of mortgages to the Federal National Mortgage Association

Section 6 Section 811 of the act is amended by adding at the end thereof a new subsection to read

Section 811 Prohibition Upon Accepting Deposits or Discounting Commercial Paper

* * *

C Subject to the Provisions of Subsections A and B of this Section The provisions of this or any other act shall not be construed to prohibit an association or a Federal savings and loan association operating in Pennsylvania from acting as agent for the sale of express company money orders and travelers checks or from receiving from its shareholders or members money for transmission through the Federal Home Loan Bank of which the association is a member

Section 7 Subsection A and B of section 903 of the act amended May 15 1945 (P. L. 485) and June 12 1951 (P. L. 524) are amended to read

Section 903 Security for Mortgage Loans A An association shall grant mortgage loans to its shareholders or to any person intending to become a shareholder upon the following security only

(1) The bond of the borrower secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of the loan and further secured by a mortgage upon real [property which belongs to] estate owned by the borrower in fee simple or in which he has a leasehold interest as tenant under a lease such mortgage being for at least the full amount of the loan A loan secured in this manner shall be known as a share-mortgage loan and the mortgage securing such loan as a share mortgage

(2) The bond of the borrower secured by the transfer and pledge to the association of one direct reduction loan share in such association which belongs to the borrower and further secured by a mortgage upon real [property which belongs to] estate owned by the borrower in fee simple or in which he has a leasehold interest as tenant under a lease such mortgage being for at least the full amount of the loan The mortgage contract shall provide for monthly payments starting not later than sixty days after the advance of the loan Provided however That on any mortgage loan granted to finance new construction an association may postpone the first monthly payment until completion of the improvement but not later than twelve months after the date of the first advance made on the loan A loan secured in this manner shall be known as a direct reduction mortgage loan and the mortgage securing such loan as a direct reduction mortgage

(3) The bond of the borrower secured by a mortgage upon real [property which belongs to] estate owned by the borrower in fee simple or in which he has a leasehold interest as tenant under a lease such mortgage being for an amount not to exceed one-half of the amount of the loan such portion of the loan to be known as the straight-mortgage portion of the loan and a bond for the remainder of the loan secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the mount of such remainder of the loan and further secured by a mortgage upon [such real property] the real estate or leasehold interest as aforesaid for an amount equal to such remainder of such

loan to be known as the share-mortgage portion of the loan such remainder of such loan A loan secured by both a straight mortgage and a share mortgage in this manner shall be known as a split-mortgage loan A split-mortgage loan may also be in the form of a single bond and mortgage which meets all the requirements of this section

The straight-mortgage portion of a split-mortgage loan shall not be secured by shares and an association shall not charge fines upon such portion of the loan

An association shall not demand payment of the straight-mortgage portion of a split-mortgage loan except in case of a default by the borrower in the terms of the loan until the share-mortgage portion of such loan has been prepaid in full by the maturing of the shares assigned or pledged as security therefor or by any other method Upon such payment of the share-mortgage portion of a split-mortgage loan an association shall either demand and enforce payment of the straight-mortgage portion of the loan or convert such loan to a share-mortgage loan or to a direct reduction mortgage loan upon the transfer and pledge to the association of installment shares [or direct redcction loan shares] in such association which belong to the borrower and which have a par value at least equal to the amount of such loan or of one direct reduction loan share in such association which belongs to the borrower

(4) The bond of the borrower secured by a mortgage upon real [property which belongs to] estate owned by the borrower in fee simple or in which he has a leasehold interest as tenant under a lease such mortgage being for the full amount of the loan but without provision for monthly amortization for a term not exceeding ten years Provided That the loan except as hereinafter provided does not together with any other loans held by such association upon such property exceed fifty per centum of the fair market value of such property And provided further That if such a loan is made for a term not exceeding one year and for the purpose of financing new conntruction it may be made in an amount not to exceed eighty per centum of the fair market value of a one to four family property or seventy per centum of the fair market value of a five or six family property And provided further That the aggregate amount of all loans made [pursuant to the provisions of this subsection] without provision for monthly amortization to all persons and corporations shall not exceed fifteen per centum of the total assets of such ansociation

B An association shall not grant any mortgage loan upon real property owned by the borrower in fee simple unless the mortgage securing such loan [(1)] is a first lien upon unencumebered improved real property the improvement being a dwelling for not more than six families which is used or to be used in whole or in part for residential purposes or upon real property upon which such a building is in the process of construction situated anywhere within the Commonwealth or within fifty miles of a boundary thereof or where it is not a first lien upon such property every equal or prior lien is owned by the association [and (2) does not]

An association shall not grant any mortgage loan secured by a mortgage upon a leasehold interest in real property leased to the borrower as tenant under a lease unless (1) the property so leased is improved real property the improvement being a dwelling for not more than six families which is used or to be used in whole or in part for residential purposes or unless such a building is in the process of construction situated anywhere within the Commonwealth or within fifty miles of a boundary thereof and (2) the loan on a leasehold interest otherwise conforms to such rules and regulations as may be prescribed by the Secretary of Banking with the approval of the Building and Loan Board

An association shall not grant any mortgage loan which together with any other [lien] outstanding loan held by such association and secured by a mortgage upon such property or such leasehold interest shall exeed eighty per centum of the fair market value of a one to four family property or seventy per centum of the fair market value of a five or six family property Provided however That any mortgage loan may be increased by the withdrawal value upon the day of the granting of such loan of shares to be assigned or pledged to the association by the borrower or by any other shareholder as additional security for such loan Any additional shares assigned or pledged as additional collateral security for the mortgage loan by the borrower or any other shareholder may be released by the association whenever the mortgage loan otherwise meets all of the requirements of this act and could be legally made at the time of release without the requirement of additional collateral Provvided also That an association may accept and hold additional collateral of any kind if the loan meets all of the requirements of this act and could have been legally made without such additional collateral [An association shall not take any lien upon real property as security for a mortgage loan if such lien is in status equal to any lien owned by any other corporation or person]

Without regard to the limitations set forth in this subsection an association may grant any mortgage loan which is insured or guaranteed in whole or in part by the United States or any instrumentality thereof or if there is a commitment to so insure or guarantee Provided That the real estate security therefor shall be a building used or to be used in whole or in part for residential purposes situated within the Commonwealth or within fifty miles of a boundary thereof

The provisions of this subsection shall not be construed to apply to a purchase money mortgage taken by an association upon real property or leasehold interest in real property owned by it nor to the readjustment or refinancing in any other manner of a mortgage loan owed to the asnociation upon the effective date of this act

* * *

Section 8 Section 914 of the act added April 20, 1949 (P. L. 656) is amended to read

Section 914 Title I FHA Loans Notwithstanding any other provisions of this act an association may grant loans [to any of its mortgage borrowers] for the repair alteration or improvement of [the mortgaged real estate on the security of a note which is] real property without the necessity of mortgage security when such loans are insured or will be insured under Title I of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred thirty-four its amendments and supplements Such loans may be granted in any amount and on any terms [that may be acceptable to the Federal Housing Administration] permitted by the said National Housing Act or the regulations issued thereunder but the agreegate amount of all such loans held by an association at any time shall not exceed fifteen per centum of its total assets

Section 9 Section 915 of the act added May 23, 1947 (P. L. 272) is amended to read

Section 915 [Chattel Mortgages] Loans Secured by Chattel Paper When an association holds a mortgage on real estate [as security for a loan] or on a leasehold interest therein it may also grant a [chattel] [mortgage] loan secured by chattel paper to the mortgagor of the real estate or leasehold interest to assist him in the purchase of consumer's durable goods such as electrical appliances ranges refrigerators awnings screens storm doors and sash furnace burners and equipment pertaining thereto space heaters aid conditioning systems ventilating fans laundry equipment water heaters water supply equipment water treatment apparatus and similar items to be used in connection with the occupancy of the mortgaged premises Provided That the amount of [such chattel mortgage] the loan secured by such chattels shall not exceed seventy-five per cent (75%) of the purchase price of [said article[the chattels nor shall its term exceed (5) years No such [chattel mortgage] loan secured by chattel paper may be granted unless it [is] constitutes a first lien on the chattels described therein [nor shall the] The total of all [chattel mortgages granted] loans secured by chattel paper due an association at any one time in connection with chattels installed or used on any one

piece of mortgaged real estate or any one leasehold intrest shall ont exceed the sum of one thousand dollars ($1,000) Any [chattel mortgage] loan secured by chattel paper which is granted by an association in reliance on this section shall conform to the requirements of [the act approved the first day of June one thousand nine hundrel forty-five (P. L. 1358] article nine of the Uniform Commercial Code approved April 6, 1953 (P. L. 3) its amendments and supplements In addition to [the chattel mortgage] obtaining a security agreement for such loans the association shall also secure a [bond or judgment] promissory note evidencing the borrower's agreement to repay the amount loaned such repayments to be made on a direct reduction basis in monthly installments over the term of the [chattel mortgage] loan The [bond or] note shall further provide that if the obligor shall sell the mortgaged real estate or assign his leasehold interest therein or remove therefrom any chattel described in the [chattel mortgage] security agreement the entire balance remaining due on the [chattel mortgage] loan shall immediately become due and payable No [title] examination of the public records shall be required in connection with [the granting of any chattel mortgage provided the] a loan secured by chattel paper if the borrower is newly acquiring title to all the chattels described in the security agreement and the seller of the chattels furnishes the association with a receipted bill of sale for the [chattels described in the mortgage] same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adam,	Frost,	Maxwell,	Rudisill,
Amarando,	Gaffney,	McCann,	Sarraf,
Anderson, M. S.,	Garlock,	McCormack,	Scarcelli,
Anderson, S. A.,	Gelfand,	McGee,	Schuster,
Ashton,	George,	McInroy,	Sherman,
Banker,	Gibson,	McLaughlin,	Sigman,
Barnatovich,	Greenwood,	McWherter,	Smith, C. C.,
Bazin,	Guss,	Meholchick,	Smith, Wm. B.,
Blair,	Guthrie,	Metz,	Snider,
Boles,	Hamilton, R. K.,	Mihm,	Spencer,
Bonner,	Hamilton, W. H.,	Mikula,	Stank,
Boory,	Hass,	Mills,	Stebbins,
Bower,	Haudenshield,	Monroe,	Steckel,
Branca,	Heavey,	Moody,	Stephens,
Breisch,	Helm,	Moran,	Stone,
Brennan, A. P.,	Henzel,	Muldowney,	Strausser,
Brennan, J. J.,	Hewitt,	Mullen,	Stroup,
Brenninger,	Hocker,	Munley,	Swartz,
Breth,	Holt,	Murphy,	Taylor,
Brown,	Houk,	Murray, J. J.,	Thomas,
Bucchin,	Isaacs,	Murray, P. G.,	Thompson,
Bullen,	Jenkins,	Musto,	Toll,
Capano,	Johnson,	Naugle,	Toomey,
Cianfrani,	Jones, G. E.,	Needham,	Varallo,
Cioffi,	Jones, T. H. W.,	Ogilvie,	Varner,
Cochran,	Jump,	Olsen,	Vaughan,
Comer,	Kamyk,	O'Neil,	Verona,
Connelly,	Kehler,	Pacchioli,	Wall,
Cooper,	Kent,	Parry,	Wallace,
Curwood,	Kline,	Pashley,	Walsh,
Donahue,	Kolankiewicz,	Paulhamus,	Wargo,
Donaldson,	Kornick,	Petrosky,	Waterhouse,
Dougherty,	Kratz,	Pettigrew,	Weidner,
Down,	Kubacki,	Polaski,	Welsh,
Eilberg,	Lafore,	Polen,	Wescott,
Erb,	Lawyer,	Pomeroy,	Wheeler,
Eshleman,	Leiby,	Price,	Whitenight,
Farabaugh,	Leisey,	Readinger,	Willaredt,
Filo,	Leonard,	Reibman,	Williams,
Fineman,	Leven,	Reidenbach,	Wood,
Flint,	Limper,	Renwick,	Yetter,
Floyd,	Lippincott,	Rigby,	Yetzer,
Flynn,	Lopresti,	Rosen,	Young,
Foster,	Lovett,	Rovansek,	Ziegler,
Frank,	Lutty,	Royer,	Andrews,
Frascella,	Markley,	Rubin,	Speaker

NAYS—24

Agnew,	Gibb,	Light,	Pursley,
Auker,	Gramlich,	Magee,	Stevenson,
Bell,	Horst,	Mahan,	Stoner,
Davis,	Knecht,	Miller,	Tompkins,
Ehrgood,	Kooker,	Moscrip	Wilt,
Ewing,	Kromer,	Murray, H. P.,	Worley,

NOT VOTING—3

Goldstein,	Keller,	McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 455, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof confering the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" eliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by an Authority

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, last line of title, by striking out "an" and inserting in lieu thereof "one Authority from another".

Amend Sec. 1 (Sec. 9), page 2, lines 9 and 12, by striking out the bracket before "with-" in line 9, and after "hundred" in line 12.

Amend Sec. 1 (Sec. 9), page 3, line 1, by striking out the bracket before "three".

Amend Sec. 1 (Sec. 9), page 3, line 6, by inserting after "facilities" Approval of the Pennsylvania Public Utility Commission shall not be required where one Authority acquires a project from another Authority.

Amend Sec. 1 (Sec. 9), page 3, lines 7 and 8, by striking out "] without first reporting to and advising".

Amend Sec. 1 (Sec. 9), page 3, and line 8, by striking out the brackets before and after "by".

Amend Sec. 1 (Sec. 9), page 3, line 9, by striking out the bracket before "it" and after "was".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments.

The were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

REPORTS FROM COMMITTEES

Mr. FRASCELLO from the Committee on Motor Vehicles, reported as committed House Bill No. 286, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," establishing special speed restrictions for business and residence districts in cities of the second class.

Mr. FILO from the Committee on Banking and Building and Loan Associations reported as committed, House Bill No. 1722, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," further regulating changes of places of business and establishment of branches.

Mr. McGEE from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 1737, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers, establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," regulating the establishment of business and changes in the places of business and the establishment and maintenance of branches.

Mr. McCORMACK from the Committee on Motor Vehicles, reported as committed, House Bill No. 1749, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the celrks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners; counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," requiring admission or release reports on certain persons by certain superintendents or medical directors or other competent authorities; and imposing penalties.

Mr. PACCHIOLI from the Committee on Boroughs reported as amended, House Bill No. 1263, entitled:

An Act providing for the establishment of fireman pension, pension funds or pension annuities in boroughs, towns and townships, and the regulation and maintenance thereof; providing for continuance of existing funds or transfer thereof to funds herein established; and prescribing rights of beneficiaries.

Mrs. MARKLEY from the Committee on Motor Vehicles, reported as committed, House Bill No. 1747, entitled:

An Act to further amend clause (a) of section five hundred ten of the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the celrks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners; counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making an editorial correction, and changing the time for beginning use of registration plates for certain vehicles.

Mr. GAFFNEY from the Committee on Boroughs, reported as committed House Bill No. 1763, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," extending the time for payment on purchases of borough property.

Mr. WILLAREDT from the Committee on Insurance, reported as committed House Bill No. 1779, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon forfeign insurance companies associations or exchanges providing penalties and repealing existing laws" by continuing the provisions of that section in effect for a further period.

Mr. LUTTY from the Committee on State Government, reported as amended, House Bill No. 1785, entitled:

An Act to further amend section one of the act approved the eighth day of June, one thousand nine hundred twenty-three (P. L. 685), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," by further regulating the fees to be charged and collected.

Mr. ROBERT K. HAMILTON from the Committee on State Government, reported as amended, House Bill No. 1790, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately one thousand two hundred sixty-six acres of land in the Township of Coolbaugh, County of Monroe, Pennsylvania, known as Tobyhanna Signal Depot, and ceding jurisdiction to the United States.

Mr. SCARCELLI from the Committee on Professional Licensure, reported as committed, House Bill No. 1794, entitled:

An Act amending the act of September 26, 1951 (P. L. 1536), entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged; conferring certain powers and duties upon the Department of Welfare; imposing license fees; and providing penalties," further providing for refusal to grant, refusal to renew, and revocation of licenses; changing definition of commercial boarding homes, and changing license fees and penalty provisions.

Mr. AUKER from the Committee on Conservation and Wild Life, reported as committed, Senate Bill No. 121, entitled:

An Act requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation, recreation, dams and flood control; authorizing the Water and Power Resources Board to determine the need for and location of such projects, and to acquire the necessary land.

Mr. LUTTY fro mthe Committee on State Government, reported as committed Senate Bill No. 531, entitled:

An Act amending the act of May 3, 1909 (P. L. 413), entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land, the price to be paid for the same, the convelance to the State Forestry Reservation Commission, where desirable for forest culture or forest preservation, preventing the granting of warrants for the beds of navigable rivers, and providing for acceptance of returns of surveys without limitation as to execess or surplus," providing for and regulating the granting of easements in across and under the beds of navigable rivers for sewer lines and other facilities of sewage treatment systems.

Mr. AMARANDO from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 643, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting budget planning business and prescribing penalties for violation thereof.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

Senate Bill No. 457, Printer's No. 248,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 510, as follows:

An Act amending the act of June 23 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating appropriations for maintenance and operation of recreation places

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3709 act of June 23 1931 (P. L. 932) known as "The Third Class City Code" reenacted revised and amended June 28 1951 (P. L. 662) is amended to read

Section 3709 Maintenance and Tax Levy All expenses incurred in the operation of such recreation places established as herein provided shall be payable from the treasury of the city Council may annually appropriate and cause to be raised by taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such city for the purpose of maintaining and operating recreation places In lieu thereof council may annually appropriate moneys within limitations as to amount prescribed by this section to any existing body or board or to a recreation board or commission for the maintenance and operation of recreation places

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Frost,	Magee,	Rubin,
Agnew,	Gaffney,	Mahan,	Rudisill,
Amarando,	Garlock,	Markley,	Sarraf,
Anderson, M. S.,	Gelfand,	Maxwell,	Scarcelli,
Anderson, S. A.,	George,	McCann,	Schuster,
Ashton,	Gibb,	McCormack,	Sherman,
Auker,	Gibson,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boies,	Hamilton, W. H.,	Mihm,	Stebbins,

Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Comer,	Jump,	Naugle,	Varner,
Cochran,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki,	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker

NAYS—0

NOT VOTING—3

Goldstein,	Keller,	McKeever,

The majority required by the Constitution voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

RESOLUTION

SYMPATHY

Messrs. WORLEY and READINGER offered a resolution which was read, considered and unanimously adopted by a rising vote as follows:

In the House of Representatives, September 26, 1955

The news of the President's illness is a matter of deep concern to all. His complete recovery is the sincere hope of everyone.

Resolved That the General Assembly on behalf of itself, and all the people of the Commonwealth, express heartfelt sympathy for the President in his illness and a fervent hope that his recovery may be rapid and permanent, restoring Mr. Eisenhower unimpaired to his former vigor and good health.

REPORTS FROM COMMITTEE

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1027, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire two acres of land, more or less, in the Borough of Danville, Montour County, Pennsylvania, for use of Danville State Hospital; and making an appropriation.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1028, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire land in the Borough of Riverside, Northumberland County, Pennsylvania, for use of Danville State Hospital; and making an appropriation.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1035, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire land in the City of Nanticoke, Luzerne County, for the use of Nanticoke State Hospital; and making an appropriation.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1036, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire .326 of an acre, more or less, of land in Newport Township, Luzerne County, for the use of Retreat State Hospital; and making an appropriation.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1150, entitled:

An Act amending the act of June 27, 1923 (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," defining employes of the Pennsylvania Tunnel Commission as State employes.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land with buildings thereon in the Borough of Indiana, Indiana County, Pennsylvania for the use of the Indiana State Teachers College, and making an appropriation.

Mr. POLEN from the Committee on Appropriations, reported as committed House Bill No. 1615, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land, with buildings thereton, in the Township of White, Indiana County Pennsylvania containing 7.486 acres more or less for the use of the Indiana State Teachers College; and making an appropriation.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1616, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a tract of land in the Borough of Indiana, Indiana County, Pennsylvania, containing 2.5 acres more or less for the use of the Indiana State Teachers College, and making an appropriation.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1780, entitled:

An Act making an appropriation to the Insurance Com-

missioner as Statutory Liquidator to enable him to liquidate dissolved insurance companies associations and exchanges which have insufficient assets for such liquidation.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1787, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the establishment of a professorship in the School of Medicine.

BILLS ON FIRST READING

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1027 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1027, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor to acquire two acres of land, more or less, in Borough of Danville, Montour County, Pennsylvania, for use of Danville State Hospital; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1028 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1028, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire land in the Borough of Riverside, Northumberland County, Pennsylvania, for use of Danville State Hospital; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1035 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1035, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire land in the City of Nanticoke, Luzerne County, for the use of Nanticoke State Hospital; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1036 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1036, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire .326 of an acre, more or less, of land in Newport Township, Luzerne County, for the use of Retreat State Hospital; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1150 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1150, entitled:

An Act amending the act of June 27, 1923 (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," defining employes of the Pennsylvania Tunnel Commission as State employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1614 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land with buildings thereon in the Borough of Indiana, Indiana County, Pennsylvania for the use of the Indiana State Teachers College, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1615 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1615, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land, with buildings thereon, in the Township of White, Indiana County, Pennsylvania, containing 7.486 acres more or less for the use of the Indiana State Teachers' College; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1616 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1616, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land in the Borough of Indiana, Indiana County, Pennsylvania, containing 2.5 acres more or less for the use of the Indiana State Teachers College, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1780 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1780, entitled:

An Act making an appropriation to the Insurance Commissioner as Statutory Liquidator to enable him to liquidate dissolved insurance companies associations and exchanges which have insufficient assets for such liquidation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1787 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1787, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the establishment of a professorship in the School of Medicine.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEE

Mr. POLEN from the Committee on Appropriations, rereported as committed, House Bill No. 803, entitled:

An Act creating an Anthracite Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to anthracite coal mines and the preparation of a modern code relating thereto; and making an appropriation.

Mr. POLEN from the Committee on Appropriations, rereported as amended, House Bill No. 1209, entitled:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry prescribing penalties and making an appropriation.

Mr. POLEN from the Committee on Appropriations, rereported as amended, House Bill No. 1113, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," providing for the establishment by the Department of Property and Supplies of standards for the design, construction, repair, alteration, equipping and furnishing of buildings owned or to be constructed or subsidized by or for the Commonwealth and the material used therein; repealing inconsistent legislation; directing the Department of Property and Supplies to make a report to the next General Assembly; and making an appropriation.

Mr. POLEN from the Committee on Appropriations, rereported as committed, House Bill No. 1566, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" regulating the acceptance of nonresident school children

Mr. POLEN from the Committee on Appropriations, rereported as committed, House Bill No. 1567, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for payments on account of nonresident pupil transportation

Mr. POLEN from the Committee on Appropriations, rereported as committed, House Bill No. 1579, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for pupil transportation in institutions and providing for reimbursements.

Mr. POLEN from the Committee on Appropriations, rereported as committed, House Bill No. 1692, entitled:

An Act directing the Legislative Reference Bureau to compile and publish a revised compilation of laws relating to war veterans and making an appropriation.

Mr. POLEN from the Committee on Appropriations, rereported as committed, House Bill No. 1723, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that State policemen assigned to duty with the Pennsylvania Turnpike Commission shall not be counted against the total number of officers and men in the State Police Force.

Mr. POLEN from the Committee on Appropriations, rereported as committed, House Bill No. 651, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent

children aged pesrons blind persons and other persons requiring relief providing for the admmistration of this act by the Deparement of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by defining "resident" and further regulating eligibility for assistance

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1571, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of state Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the name of the Department of Mines to the Department of Mines and Mineral Industries and changing the title of the head of said department from Secretary of Mines to Secretary of Mines and Mineral Industries further providing that where the term "Department of Mines" or "Secretary of Mines" are used or referred to in any other law contract or document such term or reference shall be deemed to refer to and include respectively the terms "Department of Mines and Mineral Industries" and "Secretary of Mines and Mineral Industries" making an appropriation

RESOLUTION

MEMORIAL SERVICES

Mr. STANK offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 26, 1955.

Resolved, That the Speaker appoint a Select Committee on Memorials, consisting of five Members of the House of Representatives, to fix a time and arrange a suitable program for Memorial Services in memory of Members of the House of Representatives who have died during the interim since the Legislative Session of 1953.

RESOLUTION

CONDOLENCE

Messrs. McGEE, MULDOWNEY, FRASCELLA, AMARANDO, SCARCELLI, DOUGHERTY, HEAVEY, CIANFRANI, LIMPER, COMER, BRANCA, GELFAND, TAYLOR, BOORY, LEVEN, TOLL, WELSH, McKEEVER, Mrs. VARALLO, Mrs. PASHLEY, Mr. MULLEN, Mrs. ANDERSON, Mrs. MONROE, Messrs. FLOYD, SHERMAN, McCORMACK, EILBERG, HOLT, BAZIN, FINEMAN, ROSEN, GRANVILLE E. JONES, PETTIGREW and KOLANKIEWICZ asked and obtained unanimous consent to offer a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 14, 1955.

Death demoved from our midst a great Pennsylvanian and a leading Philadelphian J. Francis Finnegan, at the zenith of his unexcelled services to his community, State and Nation, both as a guide to the perplexed and champion of the underprivileged.

With true Christian abnegation and fervor of a dedicated man, with a deep anchorage in the finest loyalties and decencies of mankind, with his sustained pursuit of the loftiest ideals of public service, he made crime prevention and combat of juvenile delinquency his life's work.

Philadelphia and the cause of crime prevention will miss him.

The late J. Francis Finnegan was born in Philadelphia 51 years ago, attended local parochial schools and although intending to become an accountant upon graduation from the Wharton School of Commerce of the University of Pennsylvania in 1932, he began his public service with the Crime Prevention Association. His meteoric rise in that field of communal enedavors was unprecedented in its effulgence and productivity. He was named the executive director of the Crime Prevention Association in 1944; appointed in 1953 by Mayor Joseph S. Clark of Philadelphia as a member of the Board of Trustees of Philadelphia Prisons; served as chairman of the Board of Trustees of the House of Correction; received in 1952, the Optimist's Club award for outstanding achievement in the field of boy's work and Social Service; served as chairman of the sub-committee on Juvenile Delinquency of the Governor's Committee on Children and Youth; served as Secretary of the Philadelphia Conference for Prevention and Control of Juvenile Delinquency, and finally having been granted a leave of absence as executive director of the Philadelphia Crime Association, he was appointed in December, 1954, as Director of Mayor Clark's Philadelphia Youth Services Committee; therefore be it

Resolved, That the House of Representatives couple its grief over this untimely death of a great Pennsylvanian, with the expression of its condolence to the illustrious brother of the departed, the Secretary of the Commonwealth of Pennsylvania, The Honorable James A. Finnegan and his sister, Miss Mary Finnegan; and be it further

Resolved, That a copy of this resolution be sent to Honorable James A. Finnegan and Miss Mary Finnegan.

RESOLUTION

THANKING CHIEF CLERK

Mrs. VARALLO, Mrs. MUNLEY, Mrs. MONROE, Mrs. ANDERSON, Mrs. PASHLEY, Miss LEIBY, Mrs. DONAHUE, Mrs. KOOKER, Mrs. MARKLEY and Mrs. HENZEL asked and obtained unanimous consent to offer a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, September 26, 1955.

The ladies of the House of Representatives, being greatly in the minority, have for many years fared ill in the space and facilities allotted them by way of a "cloak room."

Lately their plight has been taken note of and something has been done. Through the thoughtful consideration of the Chief Clerk of the House of Representatives an additional room has been obtained and lockers and other facilities have been supplied and installed; therefore be it

Resolved, That the Members of the House of Representatives express their thanks to Honorable Benjamin L. Long, their Chief Clerk, for bringing about these improvements in the ladies locker room and thereby adding to their comfort and happiness.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. READINGER. Mr. Speaker, I move that House Bill No. 121, Printer's No. 856 together with the communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 121.

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing the leasing of school buildings and athletic fields to organizations or groups for athletic purpose

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, line 5, by striking out after the second word "the" the following: "use of leased athletic facilities when schools are not open in certain cases" and inserting in lieu thereof the following: "leasing of school buildings and athletic fields to organizations or groups for athletic purposes";

Amend Section 1, page 3, line 20, by inserting after the word "charitable" the following: "or athletic"; line 20, by inserting after the word "purposes" the following: "not prohibited by law";

Page 4, line 3, by striking out after the word "fields" the following: "Leased athletic fields and buildings used for athletic purposes may be used at any time when the school is not open and is not other wise using these facilities".

Mr. READINGER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Frost,	Magee,	Rubin,
Agnew,	Gaffney,	Mahan,	Rudisill,
Amarando,	Garlock,	Markley,	Sarraf,
Anderson, S. A.,	Gelfand,	Maxwell,	Scarcelli,
Anderson, M. S.,	George,	McCann,	Schuster,
Ashton,	Gibb,	McCormack,	Sherman,
Auker,	Gibson,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boies,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Parry,	Varner,
Comer,	Kamyk,	Naugle,	Vaughan,
Connelly,	Kehler,	Needham,	Verona,
Cooper,	Kent,	Ogilvie,	Wall,
Curwood,	Kline,	Olsen,	Wallace,
Davis,	Knecht,	O'Neil,	Walsh,
Donahue,	Kolankiewicz,	Pacchioli,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki,	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetzer,
Floyd,	Limper,	Renwick,	Yetter,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker

NAYS—0

NOT VOTING—3

Goldstein,	Keller,	McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, there are times and moments when I grow exceedingly tired of my job as Majority Floor Leader and this one of them.

Some time ago it became evident to most of us in this House that a decision, or an agreement if one could be reached, on the matter of taxes would take some time. The Governor has called several bipartisan meetings of various leaders in the Senate and the House to discuss matters relating to a possible tax program. Of course, this involved items set forth in the budget.

For the past several weeks this committee has been meeting. It is now in possession of an analysis of the budget figures made by the Pennsylvania Economy League and the committee is making an honest effort to see whether certain basic agreements can be reached on the matter of how much money should be spent during this present biennium.

In the course of these meetings it became necessary to determine whether the Members of this House should be made to come to Harrisburg in view of the situation which developed and of which the local hotels advised us, namely, for the first three days of each week during October and November it would not be possible for the hotels to accommodate the Members of this House.

The hotels are not to be blamed. They have no idea how long this House or the Senate will remain in session. Being business people, they must make commitments long in advance for other people who want to come to Harrisburg for one reason or another. Those commitments were made. Many conventions are held in this

city and the hotels, of course, try to accommodate them whenever they schedule their events.

Knowing this, I took it upon myself to suggest to the leadership of the Senate that when we adjourn for this week the House adjourn until December 5th, subject to the right of the Speaker to recall us at any time when matters of importance might arise which would require our returning to Harrisburg.

I had a discussion, I believe last Wednesday or Thursday, with some of the leaders of the Republican Senate and some of the Republican leaders of this House, and I understood at that time that they would not oppose the proposition of the House to adjourn until December 5th in view of the circumstances. I assured the Senate leaders at that time that if it was not the desire of the Senate to adjourn until that date, we would be happy to have them stay in session and take up any business matters that might come before them.

I was advised by the Majority Leader of the Senate this morning that a meeting of certain Republicans was held last night, or yesterday, and they made the decision that they would not agree to the House's recessing or adjourning until December 5th, even subject to the right to be recalled at any time.

I want to comment, before I reply to certain statements which have been made for political reasons, on what I consider to be simply good business judgment. As you know, it has been rather difficult to keep the entire membership here Monday through Wednesday. The Members apparently were quite willing to stay here if there were any matters of importance before this House, but if the matters were insignificant in scope, if they were not considered by anybody to be particularly important, some of the Members because of pressing matters at home left before the Wednesday sssion. For that reason we have been compelled to have quite a number of consent sessions on Wednesdays.

It was my idea as Majority Leader to ask this House to adjourn until December 5th as good business practice, so we would not have to compel the Members to come here week after week, waiting for some agreement, if possible, to be made on a tax program or waiting for other matters of sufficient importance to bring them back here week after week.

We have been here about nine months and, as everybody in this Commonwealth knows, the Democrats proposed and passed in this House a tax program. As everybody knows, it has been emphatically rejected by the Republican Senate, and that is the position we are in right now.

Up to the present time we have not been able through the leadership on both sides to arrive at any biparisan agreement as to how the money should be raised to finance the Commonwealth or how much should be spent. The public knows full well through reports from the newspapers and other media that a lot of time has been spent discussing this problem and that we are trying to solve it.

In my opinion there would be no sense in calling the Members back week after week to sit here, come up on a Monday and go home on a Tuesday or perhaps on a Wednesday, while some agreement was being reached. I made it very clear to the newspapers, and they reported it as such, that if any agreement was reached during this period, between the end of this week and December 5th the membership of the House would be called back immediately, even if they had to sleep in tents. That remark was made facetiously, because we know we will not have to sleep in tents, we will find accommodations somewhere. The fact remains they were not going home until December 5th and nobody was quitting the job, because we are trying to get it done as quickly as possible—you are, and we are too.

So I was amazed today when I received a Press release issued by Miles Horst, the Chairman of the Republican State Committee, dated at Harrisburg, September 26th, in which this estimable gentleman, who does not seem to know what is going on in Harrisburg, says the following:

> I want to urge the Republican Members of the General Assembly to stand fast in their determination to stay on the job in Harrisburg, no matter what the personal inconvenience, until the tax and budget problems of our Commonwealth are solved.
>
> It is unthinkable that Republican Legislators would ever agree to any plan advanced by Democratic Party leaders, with the acquiescence of Governor Leader, to quit now and go home without first providing the money to continue state aid for our schools and our hospitals and all the other essential services of state government.

I will end the quote there.

I would like to say one thing before I comment on the wisdom or lack of wisdom of this gentleman's statement. I would like to say now that Governor Leader never acquiesced in my suggestion that this House recess until December 5th. On the contrary, he requested me not to do it, he would like to see us stay in session. I explained to him what I have been saying to you, and which you well know, the folly, the foolishness, the uselessness of sitting here day after day until we have something of importance to bring us back here upon which to take action.

When I see a statement of this kind I cannot overlook it, even though I should overlook the source from which it comes. When he tries to make political capital out of what we consider to be a sensible business proposal for the operation of this House, then I think we are hitting a new low.

As you know, the Senate has refused to allow us to recess until that date. So what happens? So we recess until next Monday, or whatever other day next week they allow us to come back. If they give us no other alternative, we will come back next Monday, we will tell you Members to come back, and you will say, "Well, what do you have for us to act upon?" I will tell you, "Look at the calendar. If there is anything there that you consider of importance, you come back. You should be here, you are an elected Member."

A great many bills have come out of Committee today. It was my hope that during this period when we would not actually be sitting here day after day we could have Committee meetings, we could get bills we consider of importance before this House, on the calendar and then call the Members back during some given week, work three full days and pass those bills, but not spread it out over eight weeks.

If that is a silly and senseless way of doing business, then I stand convicted of that, but I still say no Member of this House wants to be made to come back here week after week unless we have something we consider of importance to the people of Pennsylvania.

In my opinion it will be several weeks before there is any kind of an agreement, if then, before this House on the matter of taxes. I doubt very much if it will be before the end of October or early in November before an agreement can be reached on budget matters as to how much mony we shall spend.

I want to make very clear that nobody on this side has any desire to quit or go home before our job is done. Our Members on this side have been very faithful in returning here for sessions, and I do not intend to abuse their patience. If we are going to have token sessions for the next month, we will have token sessions, and if that is more appealing to the public or the Republican State Chairman, so be it.

I do not know what the public will think when it sees in the newspapers that we have had a session and we have had four, or five, or six Members present, but I say that is the way things are working out. I have tried to eliminate that. The Senate has said "no." I think they have said so for political reasons, and I certainly don't admire them for it.

PERMISSION TO ADDRESS HOUSE

Mr. CHARLES C. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I must certainly start off by agreeing with the gentleman in his thinking as to the agreements that were made. There is no doubt that he made them perfectly honestly. I do believe at the time they were made, they were made with perfectly honest intentions on the part of the Majority Leader of the Senate and when I entered into it I must admit that I agreed with him.

But there have been some things that have arisen since that time, and I do not think we are playing politics.

I think we can make a few suggestions. I would say it was our understanding and I think the Speaker and the Majority Leader will agree, that all of the appropriation bills from this House be passed over to the Senate. If you will remember we made a complete reversal of our thinking at that time. The Senate said they would make reductions if we on this side of the House were unable to make them.

I know that the hotel situation is bad. It was suggested today by the Majoity Leader that we come into session Thursday and Friday of next week. I think we should come in next Thursday and Friday, and we on this side of the House will be available.

I think the appropriation bills in toto should be passed on to the Senate, and whether it is politics or not, whether they are going to make the cuts or not, is beside the point. Let us get out of this session and let us give everybody an opportunity to do it. I do believe there are going to be some days, and the Majority Leader can correct me if I am wrong, but our understanding has been that the hotel situation is mostly bad on Monday, Tuesday, and Wednesday. I can see no reason why we cannot have at least two day sessions on Thursdays and Fridays if the hotels are available. I think that might be true of several weeks in October and November.

We are here to work and we will come back on those days. That is about all I can say as far as our working agreement is concerned. I do not believe there is politics involved in it.

The Governor is pretty smart at playing politics himself. I do not like to give him credit for being too smart, because sometimes I think he makes rather unusual moves that do not do him any good or do the minority or the majority party any good. But when you are talking about playing politics, the shoe fits on both feet, it fits on both sides.

I might say that we do happen to know, and I think again we are right in this statement, that there are some school appropriations which will be coming due in October and November. In fact, I am quite sure, if my information is correct that they will be coming due for the third and fourth class districts. If the Governor is not going to make some statements and blame it on those horrid Republicans, like Miss Blatt does, perhaps we are forced to make the change in our position, if the Governor is going to blame the Republicans for not paying the school districts perhaps it is the Governor's idea to play politics, and perhaps because of the Governor's actions in the past we on this side of the House have to protect ourselves.

That is the only, I do not want to say alibi, but its the only excuse I can give at this time for coming back. If this were a pure and simple move, and both sides felt as the Majority Leader says, and I believe he is very sincere in his statements because I know him that well, and he can speak for the Governor right along the line, I think we could find that we probably would not be asking that the House stay in session, but with some of the things that have happened in the past, I think we have to act cautiously because we never know what move the front office is going to make in regard to playing politics. But we will be back any day they want, Thursday, or Friday, or if it is only a one day session. I do believe that the Senate Committee is going to act on the appropriations, and some of them might not be approved by the Majority side of this House. I believe then they could go into Conference Committees and the Conference Committees could work during Monday, Tuesday and Wednesday and we could act on them on a Thursday or a Friday and either reject or approve them. I think that would facilitate things. I think the gentleman will find that if we do come back, even for one day or two days a week, even though it be a Thursday, Friday or a Saturday we will be a little further ahead than being completely out of session until December the 5th.

Mr. READINGER. Mr. Speaker, I desire to thank the Minority Leader for his remarks, and to note that he is in complete agreement with us in this matter.

But in his last few words I am afraid, he fell into error, he said rather than be "out of session until December 5th." We never intended to be out until December 5th, but we did want to fix the date at which it would be definite we would return, with the understanding that we would come back at any time something important arose to call us back.

I would like also to say, Mr. Speaker, that I was advised this afternoon that the Harrisburger Hotel has informed all of the Members that stay there that they must check out by 5 o'clock tomorrow afternoon. In view of that fact while we do not intend to have a consent

calendar, if we do not have the votes here that is what it will be.

So you see some of the problems we are faced with even when we are here. I knew nothing about reservations at the Harrisburger Hotel prior to Wednesday of this week and I doubt if any Members that stayed there knew anything about it. But this just points out some of the problems we have in keeping the Members here and keeping a roof over their heads.

We want to assure everybody that we will cooperate with them as much as we can, we will not call them back here to work unless there is something important to work on, and what the Members do on Wednesday, as far as I am concerned, is their own business.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Snider, Chairman, Room 331, Tuesday, September 27, at 12:00 noon.

CITIES—THIRD CLASS, Mr. Bucchin, Chairman, Room 331, Tuesday, September 27, at 10:30 a. m.

COUNTIES, Mr. Wheeler, Chairman, Room 323, Tuesday, September 27, at 12:00 noon.

EDUCATION, Mr. McCann, Chairman, Room 324, Tuesday, September 27, at 11:00 a. m.

FISHERIES, Mr. Kornick, Chairman, Room 331, Tuesday, September 27, at 11:30 a. m.

JUDICIARY, Mr. Lopresti, Chairman, Room 145, Tuesday, September 27, at 10:00 a. m.

LAW and ORDER, Mr. Yetzer, Chairman, Room 325, Tuesday, September 27, at 12:30 p. m.

LIQUOR CONTROL, Mr. Stank, Chairman, Room 325, Tuesday, September 27, at 12:30 p. m.

MILITARY AFFAIRS, Mr. Needham, Chairman, Room 323, Tuesday, September 27, at 12:45 p. m.

The Legislative Service Club Breakfast will be held on Tuesday, September 27, at 8:30 a. m. in the Private Dining Room of the Capitol Cafeteria. Guest Speaker will be The Honorable Joseph J. Lawler, Secretary of Highways.

All Times are Daylight Saving Time.

ADJOURNMENT

Mr. BROWN. Mr. Speaker, I move that this House do now adjourn until Tuesday, September 27, 1955 at 12:00 noon EST.

The motion was agreed to, and (at 5:58 p. m. EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., TUESDAY, SEPTEMBER 27, 1955. No. 93.

SENATE

TUESDAY, September 27, 1955.

The Senate met at 9:45 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. JOHN HENRY FRIZZELL, Chaplain Emeritus of The Pennsylvania State University, offered the following prayer:

Almighty and most merciful God, as we stand before Thee at the beginning of another day, we pray first of all not for ourselves but once again for Thy sick servant, the President of these United States. To those who minister to him, give wisdom and skill, and to him, give the confidence that he is always under Thy loving care and protection. And if it be Thy will, restore him speedily to health and to further service to our Nation.

For ourselves, O Father, we ask Thee to make us remember that history and experience have given us so many evidences of Thy guidance to our Nation and to individuals, that we should never doubt Thy willingness and Thy power to lead us aright. In particular, this morning, we acknowledge Thy guidance to that great servant of our Republic, John Marshall, who made supreme the great Court which through the years has been and is the bulwark of our liberty.

Give to us of today the faith to believe that when God wants us to do or not to do a particular thing, he finds a way of letting us know. And grant that we may not make it harder for Thee to guide us, but be willing to be led of Thee, that Thy way may be done in us and through us and for the good of our beloved Commonwealth, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. McCREESH, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

SENATE BILL No. 268 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 268, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further defining and limiting the rights, powers, duties, liabilities and immunities of such associations and making further provisions governing the transfer of shares, the payment of trustee accounts, authorized investments, security for mortgage loans, and loans secured by chattel paper.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 510

He also returned to the Senate, Senate Bill No. 510, entitled:

An Act amending the act of June 23 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating appropriations for maintenance and operation of recreation places.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 121

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 121, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing the use of leased athletic facilities when schools are not open in certain cases.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 115, entitled:

An Act amending the act of December 5, 1936 (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," further defining "unemployes" as to members of the General Assembly.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1736, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts recorders of deeds, and certain state departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," removing the right of appeal to the Governor in cases of incorporation, merger, consolidation and conversion of building and loan associations and Federal savings and loan associations, and making the decision of the Department of Banking conclusive.

Whch was committed to the Committee on Banking.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 514, entitled:

An Act amending the act of May 17, 1917 (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" further providing for the suspension and revocation of registration by the State Board of Pharmacy.

House Bill No. 973, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting certain sales of Salk polio vaccine.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 117 FROM THE GOVERNOR

Mr. PECHAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 27, 1955.

Resolved (if the House of Representatives concur), that Senate Bill No. 117, Printer's No. 23, entitled "An Act amending the act of May 2, 1929 (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' authorizing collection of data concerning deceased veterans of armed conflicts authorizing the erection of monuments for and giving retirement benefits to veterans of armed conflicts," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SPECIAL ORDER OF BUSINESS

JOHN MARCHALL BICENTENNIAL COMMEMORATIVE CELEBRATION, TUESDAY, SEPTEMBER 27, 1955, AT 10:00 O'CLOCK A. M., EASTERN STANDARD TIME.

The PRESIDENT. The hour of 10:00 o'clock a. m., Eastern Standard Time having arrived, the next order of business is the Special Order of Business of the John Marshall Bicentennial Commemorative Celebration.

REPORT OF COMMITTEE TO ESCORT HIS EXCELLENCY, THE GOVERNOR, TO THE SENATE CHAMBER

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Committee to Escort His Excellency, the Governor, to the Senate Chamber.

The PRESIDENT. The Chair recognizes the chairman of the committee, the gentleman from Lycoming, Mr. Derk.

Mr. DERK. Mr. President, I am pleased to announce that the Governor of the Commonwealth of Pennsylvania is now present to attend the John Marshall Bicentennial Commemorative Celebration.

The PRESIDENT. The Chair thanks the chairman of the committee, and invites the Governor to the rostrum.

Members of the Cabinet will be seated to the left of the rostrum.

The exercises will be opened with commemorative prayer by the gentleman from Berks, Mr. Ruth.

COMMEMORATIVE PRAYER

Mr. Ruth. Almighty God, our heavenly Father, Thou who are omniscient and Thou Who hast with Thy great omniscience guided the destiny of peoples throughout the centuries, we thank Thee that Thou didst give wisdom to our Chief Justice, John Marshall, to evaluate and interpret our basic laws so that our Nation has grown from infancy into a mighty power. We thank Thee for the influence which he hast placed upon our Nation's basic law, and that Thou hast guided, through his knowlegde, others to

follow in his footsteps through the last one hundred and fifty years so that we have been enabled to set up a pattern of government by the people and for the people which is the example for the world.

We pray that we, in our day, may appreciate what John Marshall has done for our world; that we may, too, have sufficient of Thy wisdom that in our time and in our generation we may exemplify his ideas; that we may find that amongst men Thou art supreme and that in Thy sight all men are equal; that the opportunity which hast come to us in our day to carry this great thought unto the ends of the earth may be utilized to the fullest extent, that the day may come when all peoples shall be free and all peoples shall stand before Thee as one great united body of humanity, worshiping and praising Thee above all others, recognizing in one another that principle of brotherhood and love and fellowship that will make this world the haven which Thou didst intend it to be. Thou didst create man in Thine own image and likeness.

We pray for wisdom today that our life and our work, as Members of this great General Assembly of this great form of government, may be to raise it up higher and nearer to that eventual day which must come when all knees shall bow and all tongues shall confess that Thou art the Lord God Almighty.

We ask it in Thy Holy Name, Amen.

The PRESIDENT. The Chair recognizes the gentleman from Erie, Mr. Blass, who will give the opening address.

Mr. BLASS. Mr. President, His Excellency, the Governor, fellow Members of the Senate, distinguished guests, ladies and gentleman:

We are gathered at this time to commemorate the Two Hundredth Anniversiary of the birth of John Marshall.

John Marshall was a great American. He was a great lawyer. He was an extraordinary and exceptional jurist. As the fourth Chief Justice of the United States, he served his Country in one of the most crucial periods of its history. Up to the time that John Marshall took his place upon the Supreme Bench, the Supreme Court was an inconsequential body. It had neither power nor prestige. It took John Marshall to give it both. He made the Supreme Court the strong, integral force in the system of government that was ordained by the fathers of the Constitution. He made it possible for that court to become one of the great coordinate branches of the government on equal power with the legislative and the executive arms.

It was in this period that each of the several States was bent on planning a course of action without any thought or without any idea of central control. During this formative period, John Marshall, more than any other man, insured and made possible the solidarity and stability of the Nation in its time of need.

In order that we may properly appraise the merit, the worth and the stature of this great American, it will be necessary for me to review some of the incidents of his memorable life. It reads almost like a page from the Arabian Nights.

John Marshall was born on the frontier of Virginia on September 24, 1755, the son of Thomas and Mary Marshall. He was the eldest child in a family of fifteen children, nine boys and six girls. His father, Thomas, was a man of ability and learning, yet without any education. He served terms in the Virginia House of Burgesses; he was Sheriff of his county and later his father became State Councilor. His mother was a lady of exceptional talent. He had no education. The only education he received was from the local clergymen and from his parents. He spent his early life in the Blue Ridge Mountains of Virginia.

At the age of nineteen, John Marshall enlisted in the Culpeper Minute Men Regiment of Virginia and served as a lieutenant. His father was a major in the same regiment. Later, he served for four years in the Continental Army and fought in the battles of Monmouth, Germantown and Brandywine. He spent his days in that memorable weather in want and distress at Valley Forge and his sunny disposition and jovial good nature, personal popularity, acted as a solace to the rest of the troops during that perilous winter. He left the service in 1779 because of the great number of commissioned officers that they had and waited for another chance to serve. When this commission did not arrive, he went over to the city of Williamsburg, Virginia, where his father remained, and there he had the great opportunity presented to him, one of the great opportunities of his life.

George Wythe, a professor of law, was delivering a series of lectures at William and Mary College. Young Marshall enlisted in the course and received the benefit of these lectures. Believe it or not, this is the only legal training and education, legal or otherwise, that John Marshall ever had.

Shortly thereafter, he received at the hands of Thomas Jefferson, Governor of Virginia, his license to practice law. Thomas Jefferson was his cousin and twelve years his senior. Both were on opposite sides of the political fence and neither had any love or affection for the other. Marshall always believed in a central authority. Jefferson believed in the doctrine of State rights and individual liberty. Strange to say, both made a substantial contribution to the future development of the Country they both loved so well.

After John Marshall received his license, he waited patiently, as all lawyers do, for those God-sent clients to keep the wolf from the door. During this period—I just want to narrate a little incident from the life of Marshall which, in my opinion, shows his fortitude and his courage more than anything else. It was during that early period in his practice that there was a smallpox scourge in Virginia. John Marshall decided that he should be vaccinated. What did he do? He walked from Richmond, Virginia, to Philadelphia on foot. He averaged thirty-five miles a day. When he appeared at the place where he had reserved accommodations, his appearance was such that he was refussed the accommodations. After receiving the vaccination, he again returned to Richmond on foot.

In 1783, John Marshall actually began the active practice of the law. While in Richmond, he renewed his acquaintance with a young lady who he first met in Williamsburg when he was attending the lectures. This young lady's name was Mary Ambler, otherwise known as Polly, whom he maried and who became his life mate. One of the sad incidents of his life was that shortly after their marriage, she became afflicted with a severe nervous ailment. It was impossible for her to even write to Marshall when he was away from her side. He was faithful; he idolized his wife and he wrote to her and kept her in constant communication with him.

It was not long before John Marshall became the leader of the Richmond Bar. I think in the incredible space of

three years he had achieved that end. He was so important in his practice in that vicinity that the Governor of Virginia, Edmund Randolph, turned over his entire practice to Marshall. The young lawyer made rapid strides, so rapid that in 1789, three years later, he was able to purchase a heavily wooded block in the city of Richmond, in the exclusive residential section, upon which he built a magnificent brick dwelling, in which abode he lived for the last forty-six years of his life.

In 1793, shortly after he built his house—I think it was in the early 90's—he contracted for the purchase of 160,000 acres of the Lord Fairfax estate in Virginia. He was to be financed by Robert Morris, the Philadelphia banker. However, Robert Morris became bankrupt and this great financial burden fell upon Marshall. This was a very severe handicap to the young lawyer in those days. It was so serious that he had to refuse the commission of appointment as United States Attorney at Richmond; so serious that he had to decline the appointment of Attorney General for the United States; so serious that he had to decline the appointment of Minister to France in 1796, but well enough for him to accept an appointment on the "XYZ Commission" which was appointed to settle the differences existing between this Country and the Republic of France. On that commission with him were Charles Cotesworth Pinckney, of South Carolina, and Elbridge Gerry, of Massachusetts. However, Marshall was the strong man on the commission. When they arived in France, they dealt with the oily Talleyrand, an unfrocked priest who later became the foreign minister. Talleyrand, with all his wily tactics, tried to prevail upon Marshall to agree with the Government of France, threatening to invade England and also the United States, but their position was obverse. They refused everything which was offered and they returned to this Country without negotiating the agreement. Marshall was given a tremendous ovation when he arrived in Philadelphia.

It was at a great banquet that the toast which is familiar to all of you was offered, "Millions for defense, but not one cent for tribute!" This mission resulted in $20,000 for Marshall. Out of that sum he had to pay $5,000 for expenses, so that the remainder of the $20,000, the sum of $15,000, be applied on the Fairfax debt. His position, financially, was so acute that the next year he had to decline the appointment of Associate Justice of the Supreme Court.

One of Marshall's great friends and admirers, one in whom he earnestly believed, was George Washington. In 1779, George Washington persuaded Marshall to run for Congress in a district in which the opposition held sway. He won the election by 108 votes and went to Congress. I want to say to you that his work in Congress stands out in singular significance. He was no politician; he was a statesman of the first caliber. He differed withe the administration when he thought he was right, regardless of his political future. He differed with the administration of the Federalists when he voted for the repeal of a section of the Alien and Sedition Law which the Federalists championed. He differed with the administration when he voted for the Disputed Elections Bill, which would have resulted in the Federalists' victory in the next Presidential election. I say that when anybody in the legislative field differs with the administration when he thinks he is right, he ceases to assume the role of a politician. He becomes a statesman of the first caliber.

John Marshall resigned from Congress after declining the position of Secretary of War to accept the position as Secretary of State. That position was tendered him by President Adams in recognition of the fact that he knew Marshall was a great statesman.

He administered to his cousin, Thomas Jefferson, the oath of office the day after he assumed his duties as Chief Justice, to which place he was appointed by President Adams. It was in this court, from that time until his death, that he performed his greatest service. His creative opinons, such as delivered in the cases of Barbury vs. Madison; Cohens vs. Virginia; McCulloch vs. Maryland; and Gibbons vs. Ogden, are materpieces and classics in the field of law and jurisprudence.

I remember in McCulloch vs. Maryland, he upheld the national supremacy against domination by the State Governments. It was in that celebrated case that he made the memorable statement, "The power to tax is the power to destroy."

In these perilous days in which we find ourselves at the present time, how appropriate is that memorable statement which must be given grave and earnest consideration by every one of us in solving the problems of government.

In Marbury vs. Madison and Cohens vs. Virginia, he held that the Supreme Court is the final interpreter of the Constitution. In the case of Gibbons vs. Ogden, he delivered a memorable opinion in connection with the commerce clause of the Constitution, in which he held that the word "commerce" embraced not only navigation but the means by which interstate and foreign commerce is traded in. His was the work of a master mind. His creative opinions endowed his government with powers adequate to carry out its purposes and, in effect, its operations.

John Marshall's distinguished career came to an end on July 6, 1835. During the funeral services, I am informed that the Liberty Bell in Philadelphia tolled for the last time. The bell cracked. The bell's services passed with the passing of John Marshall, both having rendered their wonderful service to mankind. One hundred and twenty years have passed since the death of Marshall, but his memory will continue to live on and on. The name of John Marshall is enshrined in the hearts of all his Countrymen and will be enshrined in the hearts of generations yet unborn. We all owe to John Marshall an eternal debt of gratitude for his wonderful efforts in his services in shaping and molding our National destiny.

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Mr. Stiefel, who will give the next address.

Mr. STEIEFEL. Your excellency, Mr. President, Senator Taylor, Senator Mahany, Senator Dent, Gentlemen:

It is a hard task to deliver an address on John Marshall, after the masterpiece just presented to us by the learned Senator from Erie, the Hnorable C. Arthur Blass, that capable former District Attorney whose ferver and eloquence always exuded so much warmth that even the inclement winter blasts from Canada became often tamed on the shores of Lake Erie.

Again the Senate of the General Assembly of Pennsylvania is establishing a "first." I am sure we are the first branch of any Legislature in the Nation holding

commemorative exercises on the occasion of the Bicentennial of John Marshall's birth. By honoring from time to time our national luminaries, we are setting examples for emulation by others as well as keeping the right fires of patriotism burning brightly and guiding our destinies.

Many of you will recall how back in 1941, the erudite Senator from Warren, the Honorable Leroy E. Chapman, set into motion the machinery of a Bicentennial Commission to celebrate the birth of Thomas Jefferson. His legislative adroitness resulted in an appropriation that even Governor James could not decline and, accordingly, was constrained to sign. When the members of the commission, on which Senator Stevenson and I served, together with Doctor Chapman on the part of the Senate, came to Richmond, Virginia, the capital of the native State of Thomas Jefferson, on our way to Monticello, I witnessed the embarrassment of the Governor of Virginia, a southern Democrat, when he learned from a northern Republican—and, of course, I am referring to Senator Chapman—what the rock-ribbed Republican Senate (then and not now) of Pennsylvania was planning to do in order to re-enshrine the memory of Jefferson in our hearts.

No one evaluated more succinctly the role played by John Marshall in the emergence, expansion and growth of our Nation than United States Senator Thomas F. Bayard, of Delaware, who, in a speech on the floor of the United States Senate on January 24, 1877, referring inter alia to John Marshall, said that his judicial interpretations "have clad the skeleton of the Constitution with muscles of robust power!" Muscles of robust power—what a felicitous gem of description!

John Marshall, of Virginia, born on September 24, 1775, famed as the first great expounder of the United States Constitution, served as Chief Justice of the Nation's highest court for thirty-four years, from 1801 to 1835, longer than any man who has held that exalted office. His term on the Supreme Court was equaled only by the terms of two Associate Justices, to wit, Stephen J. Field of California, from 1863 to 1897, and John M. Harlan, of Kentucky, from 1877 to 1911.

And yet, less is known by our Nation of Marshall than of any of the great Americans. His biographer par-excellence, the late United States Senator Albert J. Beveridge, in his preface to one of the classical masterpieces in the field of American biography, the definitive four volumes of "The Life of John Marshall," sums up this paradox as follows:

"He appears to us as a gigantic figure coming indistinctly out of the mists of the past, impressive, yet lacking vitality, and seemingly without any of those qualities that make historic personages intelligible to a living world of living men. Yet, no man in our history was more intensely humane than John Marshall and few had careers so full of movement and color."

This historical paleness of indistinction, I respectfully submit, is not limited to Marshall alone, since American memories somehow favor its towering Presidents whom we enshrine in our hearts, immortalize in marble and grandiose monuments, in names of localities and seats of learning. The everyday media of commemoration are the assignats and postal stamps which bear the portraits of our Presidents, except the instances of Hamilton, Franklin and Salmon P. Chase (in the latter case a recognition awarded more for his stewardship as Secretary of the United States Treasury, under Lincoln, than for his services as a Justice on the United States Supreme Court). All our former Chief Justices are, to use Beveridge's expression, "looming indistinctly out of the mists of the past."

The present celebration of the bicentennial of the birth of John Marshall reverses the trend and aims at the presentation of this great American luminary in his towering stature as one of the outstanding architects of our Nation. And herein lies the significance of the Joint Resolution adopted by the Eighty-Third Congress, setting aside September 1955 for the John Marshall Bicentennial and providing, inter alia, as follows:

"Whereas, September 24, 1955 will mark the two hundredth anniversary of the birth of John Marshall, who has rightly been called 'The Great Chief Justice'; and

"Whereas, the work of John Marshall in expounding constitutional principles has been one of the most important factors in developing and maintaining the liberties of the people of the United States; and

"Whereas, a wider public knowledge and appreciation of the achievements of the great Chief Justice John Marshall is highly desirable in order to strengthen the moral, social and political structure of our Nation and as a means of helping to preserve and protect the lives, liberties and property of all our people, therefore be it

"Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, that the month of September 1955 is hereby set aside and designated as 'John Marshall Bicentennial Month,' in commemoration of the two hundredth anniversary of the birth of John Marshall, and in recognition of the vital part which he played in the development of our Nation. The President is requested to issue a proclamation calling upon appropriate agencies and organizations throughout the United States to unite in observing such Bicentennial Month with suitable activities and ceremonies, and inviting all the people of the United States to join therein, etc."

Let us hope that Congress, in its wisdom and patriotism, will see fit to appropriate funds for the erection of a Marshall Memorial in our National Capital, second to none in the magnificence and grandeur of a superb commemorative impact.

Thomas Carlyle, in his First Lecture on Heroes, maintains that the history of the world is the biography of great men. Says Carlyle:

"But I liken common languid times with their unbelief, distress, perplexity, with their languid doubting characters and embarrassed circumstances, impotently crumbling down into ever worse distress towards final ruin—all this I liken to dry dead fuel, waiting for the lightning out of heaven that shall kindle it. The great man with his free force direct out of God's own hand, is the lightning. His word is the wise healing word which all can believe in. All blazes round him now when he has once struck on it into fire like his own. In all epochs of the world's history, we shall find the great man to have been the indispensable savior of his epoch—the lightning without which the fuel never would have burned."

John Marshall is one of mankind's towering lumin-

aries, "The great man with his free force direct out of God's own hand," the lightning "out of heaven" who struck the "dry dead fuel"; in brief, "the indispensable savior of his epoch." Of Marshall, it may be said that by one stroke of genius, in his ingenious decision in the case of Marbury against Madison, he, in a sense, rewrote our Constitution without amending it by providing a third salient feature of our National Government.

The Constitution, as adopted, constituted two salient features of our Government, namely (a) that it is a government of enumerated powers and (b) that our Government is one of dual sovereignty. Marshall's immortal decision provided for the third feature, that of Judicial Review.

At the time John Marshall was elevated to the Bench of the Supreme Court of the United States, the latter was only twelve years old. During the cradle-years of the Republic, the Supreme Court was relegated to the background and had been by far the most insignificant of the three coordinate branches of the Federal Government. The accelerated pace of American history bypassed it to such an extent that the architects-planners of the Capitol of the United States had forgotten all about it. The theme-center of the Capital's planned magnificence gravitated toward Congress and the President's Mansion, which was usually called in those days a Palace. Nowhere was there a plan for a building that would house the United States Supreme Court. On the very day that Marshall was nominated as Chief Justice, the Commissioners of the District of Columbia wrote to Congress as follows:

"As no house has been provided for the Judiciary of the United States, we hope the Supreme Court may be accommodated with a room in the Capitol to hold its sessions until further provisions shall be made."

We all know that "further provisions" were not made until the twenties of our current century.

A great German philosopher once said that conceptions without perceptions are empty, and perceptions without conceptions are blind. The Congressional legislation creating the Federal Judiciary, defining its jurisdiction, fixing the number of the members of the Supreme Court, the times of sessions and the subordinate Federal courts had tendentious perceptions and resulted in a judiciary system that was conceived as a tractable and subservient handmaiden for the convenience of merchants and financiers who expected to use it most. The Committee of the First Congress that drafted the required legislation was headed by Senator Oliver Ellsworth, of Connecticut, who was a shrewd man of business as well as a successful lawyer—hence distorted perceptions and a resultant pile of "dry dead fuel" that had to wait twelve years for the lightning to strike in order to become the guiding pillar of light for America.

Under this Judiciary Act, the Supreme Court of the United States was to consist of six members and hold two terms a year, in February and August. This, however, was the lightest part of their work, for the law provided that in addition they must, in pairs, hold circuit courts once a year in every district of the Country, the District Judge sitting with them to make a court of three. Not only did this mean that they would receive in the Supreme Court cases on which they had ruled in the lower courts, but it put an almost intolerable physical strain upon them. "Traveling Postboys," Justice James Iredell called himself and his colleagues, and the job killed him in nine years, although he was not yet fifty.

The first few sessions of the court, beginning with the one of February 1790, at what had been the Royal Exchange, Broad Street, New York City, was nothing but excursuses into trifles. The agenda called for establishing rules and admitting lawyers to practice before the Supreme Court when any cases requiring their attention might arise. The longest of these sessions lasted ten days.

Idle minds, as the saying goes, are workshops of the devil. One can paraphrase this adage when applying it to the judiciary. Idle judges must become enmeshed in acrimonious partisan politics. All the Federal judges, during the emergence era of America, were Federalists, appointed under Washington and Adams, with no Republican given a chance to fill a vacancy anywhere in the judicial system. There were no suggestions from any Federalist leaders that perhaps the exalted bench of the Supreme Court should be a repository for judicial calm and impartial summation. Although the Federal judges were very proud of their independent status, so long as they remained tied by passion or interest to the Federalist Party, their independence was a matter of brag rather than reality.

The careers of the first three Chief Justices ended each one in a fiasco. This was mainly attributable to the fact that they did not regard their lofty position as setting them apart from the ordinary officeholders who were expected to help influence public opinion. Thus, the first Chief Justice, John Jay, became enmeshed in bitter controversies when he negotiated his treaty with England. He resigned soon after, not because he thought his partisan activities handicapped him as a judge, but because he preferred to be Governor of New York.

The second Chief Justice of the United States, John Rutledge, of South Carolina, thought it not incompatible with his new office to make a devastating political speech in Charleston against the treaty negotiated by his predecessor. That was on July 16, 1795 and the August session of the Court was the only one over which he presided. President Washington had designated him after the adjournment of Congress, and as soon as it met, in December, the Senate took up his nomination. On purely political grounds, and by a purely partisan vote, 10 to 14, confirmation was refused. The fourteen Senators did not object to the fact that Rutledge had made a political speech. They were furious because he had made it on the wrong side.

Another example of unbecoming judicial temperament was that of the third Chief Justice of the United States, Oliver Ellsworth. He was one of the most unbending of men and of Federalists, a traditional compound of New England piety, learning and business acumen. He was a scholarly and upright judge by his own rights, but this did not prevent him from making political speeches on the Bench. In one of his judicial harangues, he referred to Jefferson and his followers as "the apostles of anarchy, bloodshed and atheism."

It is, therefore, not surprising that with so swift a succession of Chief Justices of the United States Supreme Court within the brief span of twelve years, as well as the Justices' politico-partisan diversions and preoccupations, the Court failed to reach the commanding heights

of crystalline splendor, which it so easily scaled later through the superb dialectics and majestic sweep of its vital decisions during the Marshall era.

The partisanship of the six Associated Justices of the Supreme Court, who served on the Bench thereof when Marshall became Chief Justice of the United States, also impeded to a degree the use of the Supreme Court to a role co-equal with the legislative and executive branches of our National Government.

Oldest in years and service in 1801 was William Cushing, the sole remaining Justice of Washington's original six. A staunch old Federalist, at this time sixty-seven, he was far less rancorous than most of the earlier Associate Justices, but when he died, ten years later, Jefferson exclaimed: "The event is a fortunate one, and so timed as to be a Godsend to me."

A self-effacing Justice, who declined promotion to Jay's exalted position of Chief Justice and a man of vast erudition, but of no ability to assert himself in the deliberations of the Court, was William Cushing, from New England.

Another scholar of towering stature was Associate Justice William Paterson, who, although mild of manner, would often lash out with cascades of harsh words.

Samuel Chase, at the time of Marshall's appointment, nearly sixty, was afflicted with gout, usually irate and often enraged; a man of coarse manners and renown for his wit over vials of wine. One of the most manipulative Congressional speculators, Chase was the target of a blast from Alexander Hamilton, who said: "It is your lot to have the peculiar privilege of being universally despised. Were I inclined to make a satire upon the species, I would attempt a faithful description of your heart."

Alfred Moore, of North Carolina, was comparatively young, the same age as Marshall, forty-five, and preceded Marshall's appointment by a year. He was the least impressive on the Bench and ineffective.

Bushrod Washington, as his great uncle's heir, enjoyed a prestige which he had never sought to capitalize. He was a pleasant, unaffected gentleman with less partisanship than any of his colleagues. It was the law and not the political effect that interested him.

These were the components of the "pile" that awaited the Marshall spark.

The Olympian had spoken in Marbury vs. Madison and as if by the wave of a magician's wand the United States Supreme Court became the voice of America's destiny.

The life of Marshall and his contributions to our Nation's greatness should be told, retold, nay thrice retold, throughout the breadth and length of our Land. Let our youth take heed how to train themselves for the future leadership of America. Let them read the saga of America's sage. Let them gain the proper perspective of America's priceless historical heritage and thereby partake of the food of giants, for America is the Anvil of Titans.

The PRESIDENT. Are there any further remarks? If not, this Special Order of Business having been completed, the Chair declares the John Marshall Bicentennial Commemorative Celebration now adjourned.

The Committee appointed to escort the Governor will now perform this duty, and escort the Governor to his office.

The Chair wishes to announce that Governor Leader said he has discovered there is no shortage of great oratory in the Senate since he has left this honorable body.

REPORTS FROM COMMITTEES

Mr. STIEFEL, from the Committee on Forests and Waters, Game and Fish, reported as committed House Bill No. 172, entitled:

An Act amending the act of June 3 1937 (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" requiring the Pennsylvania Game Commission to pay unrecovered costs of suit

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 459, entitled:

An Act prohibiting operation of boats having a manufacturer's horsepower rating in excess of seven and one-half on Quaker Lake in Susquehanna County.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 510, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain repartments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the Department of Forests and Waters to lease to religious groups.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 584, entitled:

An Act amending the act of May 2, 1925 (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," authorizing issuance of resident fishing licenses to certain residents who intend to become naturalized.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 608, entitled:

An Act amending the act of May 2, 1925 (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," authorizing the use of long bows and arows for capturing or killing carp.

He also, from the Committee on Forests and Waters,

Game and Fish, reported as committed, Senate Bill No. 672, entitled:

An Act authorizing cities, boroughs, incorporated towns, townships and counties to create historic areas within their geographical limits; providing for the appointment of historical boards empowered to preserve historic buildings and to regulate the erection, reconstruction, alteration, restoration, demolition, or razing of buildings within the historic areas.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 673, entitled:

An Act relating to historic sites and structures, declaring the same to be affected with a public interest; prohibiting the destruction, defacing, or alteration thereof without approval of the Pennsylvania Historical and Museum Commission; constituting the commission a legislative agency for the purpose of this act; authorizing it subject to appeal to determine the educational value of such sites and structures; providing for injunctions; authorizing the commission to provide for the maintenance and preservation of such sites and structures; and prescribing penalties.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 715, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to appoint a county historian in each county of the Commonwealth, and prescribing the method of appointment; providing in certain cases for compensation, expenses and office space for county historians and outlining their duties

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed House Bill No. 1098, entitled:

An Act amending the act of May 2 1925 (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and boundary lakes and boundary rivers of the Commonwealth" further regulating the use of certain devices used for catching fish.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed House Bill No. 1135, entitled:

An Act amending the act of June 3 1937 (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating therto" authorizing hunting in open season by certain persons of deer and bear in dog training areas.

SENATE RESOLUTION, SERIAL No. 56, REPORTED FROM COMMITTEE

He also, from the Committee on Forests and Waters, Game and Fish, to which was referred resolution offered by Messrs. Chapman and Stiefel, on August 2, 1955, reported the same without amendments as follows:

REQUESTING THE TRANSFER OF CERTAIN SENATE RECORDS TO THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

In the Senate, August 2, 1955.

In Room 528, E Floor of the Capitol, which is known as the Senate Transcribing Room, there are many old records of the Senate, beginning with the year 1822. These records are no doubt the oldest surviving records of the Senate and include much historical data, such as State and county election returns, beginning with the year 1840 and ending around 1900, petitions addressed to the Senate, and Senate bills in their original form as introduced.

Space in the Transcribing Room is sorely needed, The old historical records, some of which are undoubtedly priceless as part of Pennsylvania's cultural heritage, are impeding current Senate operations. The scarcity of space has necessitated storing these old records in such a manner that it is impossible to make a careful study to determine their true historical value.

These old historical records of the Senate are of no present practical value to the Senate. It therefore seems wise and proper that the records between the years 1822 to 1910 be transferred to and put under the custody of the commission which retains historical data that inures to the cultural benefit of the citizenry of the Commonwealth of Pennsylvania; therefore be it

Resolved, That the Senate of Pennsylvania permanently transfer all historical Senate records between the years 1822 to 1910 which are stored in the Senate Transcribing Room to the custody of the Division of Public Records within the Pennsylvania Historical and Museum Commission.

Laid over for one day under the Rules.

REPORTS FROM COMMITTEES

Mr. FLEMING, from the Committee on Local Government, reported as amended House Bill No. 386, entitled:

An Act amending the act of March 26, 1931 (P. L. 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" providing a fee for services in cases removed to any appellate court of this Commonwealth or to any court of the United States.

He also, from the Committee on Local Government, reported as amended Senate Bill No. 716, entitled:

An Act amending the act of May 29, 1931 (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 730, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent, county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including States taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of

property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," providing for the use of United States certified mail service in lieu of United States registered mail, when required by the act for the purpose of giving of notice.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 731, entitled:

An Act authorizing the use of certain mail services in lieu of registered mail when required by existing law for the purposes of serving notices or processes.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 746, entitled:

An Act providing for appropriations by cities of the first class to certain firemen's pension funds and for annual audits by the city controller; defining the status of such pension funds and the cities representation for the administration thereof.

He also, from the Committee on Local Government, reported as amended Senate Bill No. 757, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," defining the effect of requirement that real property transfer taxes be paid by the transferor on preexisting ordinances and resolutions and validating such ordinances and resolutions.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 758, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school district of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment, and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," authorizing taxing authorities to impose real property transfer taxes on either the transferor or on the transferee.

He also, from the Committee on Local Government, reported as committed House Bill No. 954, entitled:

An Act amending the act of June 24 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for annual salaries for county commissioners in counties of the second class for services as officers of the institution district

He also, from the Committee on Local Government, reported as committed House Bill No. 1050, entitled:

An Act fixing the salary of the clerk of the court of oyer and terminer quarter sessions of the peace and of the municipal court and the first and second deputies in Philadelphia and repealing certain legislation.

He also, from the Committee on Local Government, reported as committed House Bill No. 1173, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending reivsing and consolidating the law relating therto" permitting contributors to the police pension fund to withdraw their increment contributions under certain circumstances.

He also, from the Committee on Local Government, reported as committed House Bill No. 1503, entitled:

An Act amending the act of May 28, 1913 (P. L. 367) entitled "An act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum thereof" removing the limitation on the maximum salary which may be paid to directors or heads of departments in cities of the second class.

He also, from the Committee on Local Government, reported as committed House Bill No. 1724, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," changing the method of computing pensions, and providing a method of paying service increments from the pension fund to employes of the bureau of fire after retirement.

CONGRATULATIONS EXTENDED TO SENATOR BLASS AND SENATOR STIEEL FOR JOHN MARSHALL BICENTENNIAL COMMEMORATIVE ADDRESSES

Mr. MAHANY. Mr. President, first I want to congratulate our colleagues, Senator Blass and Senator Stiefel, for the fine work that they did in connection with the John Marshall Bicentennial Exercises which were held today in the Senate. From their addresses, they showed that they spent many hours in research to obtain the mate-

rial which they must have had to make such outstanding addresses to the Senate.

I feel that all of us are better informed about Chief Justice John Marshall and his life and his way of thinking. I certainly feel that we are all better for having listened to such fine addresses which were made by our two colleagues, Senator Blass and Senator Stiefel.

BILLS INTRODUCED AND REFERRED

Messrs. MALLERY, PEELOR and LANE read in place and presented to the Chair Senate Bill No. 776, entitled:

An Act amending the act of May 16, 1921 (P L 579), entitled as amended "An act providing for the better management of the jails or county prisons, in the several counties of this Commonwealth of the third, fourth and fifth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline, and employment of prisoners and the government and management of said jails or county prisons," giving wardens, deputies and other appointees of the board powers of peace officers.

Which was committed to the Committee on Local Government.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 777, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the membership of the State Board of Pharmacy and changing provisions for their appointment and meetings.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 778, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for the reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," establishing a Department of Recreation and defining its powers and duties.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 779, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the membership of the State Board of Examiners of Public Accountants and changing provisions for their appointments and meetings.

Which was committed to the Committee on Education.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT. The Chair has just been informed by the newspaper reporters that Justice Chidsey collapsed at a meeting of the Supreme Court in Pittsburgh. No further details have been received.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for one hour.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

NOMINATION BY THE GOVERNOR
REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF CLARKS SUMMIT STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Chichilla, 715 East Scott Street, Olyphant, Lackawanna County, for appointment as a member of the Board of Trustees of Clarks Summit State Hospital, for the term of four years and until his successor is appointed and qualified, vice Samuel K. Mittleman, Scranton, resigned.

GEORGE M. LEADER.

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

Each member of the General Assembly shares with me, I am sure, the knowledge that the demands and pressures against our highway system are constantly increasing with the growth of population and automobile usage, and the conviction that we must act now so that our Commonwealth is prepared to go forward in maintaining and developing the best highway system in the Nation.

Every driver can see that traffic is increasing faster than our capacity to handle it on our streets and highways.

To National character of the problem has been recognized in the Federal establishment, and it is a virtual certainty that the next session of Congress will act to accelerate the vast program of highway construction which the Country needs.

In Pennsylvania, there are more than 100,000 miles of public roads and streets.

The State highways are 41,100 miles long—a ribbon of road which, if in one continuous band, would go more than one and one-half times around the world.

City streets in Pennsylvania extend for 5,883 miles.

Boroughs streets are 6,050 miles.

There are 765 miles of county roads; 2,263 miles of first class township roads; and 44,978 miles of second class township roads.

It is a matter of interest that Pennsylvania's State highway mileage is greater than the combined state highway mileage in the six New England states, New York, New Jersey, Delaware and Maryland. Far more than in other states, our Commonwealth has assumed the responsibility for a truly State-wide highway system. But it is also true that a very heavy traffic is carried on streets and roads which remain as local responsibilities.

It becomes our duty therefore to shape a highway program for Pennsylvania with three objectives in mind. These are:

1. To increase the participation of local governments in the return from the motor vehicle licenses and liquid fuels taxes so that they may better meet their responsibilities for purely local traffic.

2. To prepare Pennsylvania for participation in any augmented program of Federal highway assistance which may be enacted at the next session of Congress. Any Federal program will almost certainly be restricted to the Interstate, Primary, and Secondary systems as they are presently classified for Federal aid.

3. To permit proper maintenance and modernization of the 20,476 miles of State highway which are a 100 per cent responsibility of the Commonwealth, and which are not included in any program of Federal assistance yet proposed.

We are all of course aware that the Constitution of Pennsylvania provides that all funds collected from motor vehicle and operator's licenses and from liquid fuels taxes must be used for highway purposes, except for the comparatively small amount of tax revenue derived from the sale of aviation gasoline.

The highways revenues are thus "untouchable" for the general purposes of the State. The budget for the State's highway program, the distribution of funds under it, and the revenue measures levied to support it are therefore completely outside of the area of disagreement which has unfortunately developed between the Chambers and between the political parties.

It is my earnest hope that the highways program can therefore be considered entirely outside that area of dispute, and that we can quickly agree upon both needs and methods of financing.

Since I submitted my budget message on April 19, 1955, events themselves have altered our situation.

The Legislature has enacted a one cent increase in the tax on gasoline to provide for the rehabilitation and reconstruction of the State highways and local streets and roads in the areas affected by the flood disaster of late August.

The Legislature also enacted, as a part of legislation revising weights limits for trucks, a series of increased charges for the licenses of such trucks.

We do not, therefore, now ask for any further increase in the liquid fuels tax, nor for additional increases in the licenses for trucks in the categories already raised.

As recommended in the budget message, it is still necessary to raise the license fee for passenger vehicles from $10 to $15, and also to raise the schedule of license fees for light trucks in the "R," "S," and "T" classifications.

These changes would increase the revenues of the Motor License Fund by approximately $17,000,000 annually. Legislation to accomplish the changes has been prepared, and will be introduced as a part of the highway program.

The $10 fee for passenger cras was fixed in 1943, when the price of an automobile in the low-priced field averaged $816. The average price of the same type car now sells for $2031, reflecting the increased costs and the changing dollar value which justify the license fee revision.

Many other states have already revised their charges in keeping with present day highway costs and needs.

Legislation will be presented to provide a permanent allocation from the liquid fuels tax to the local communities in Pennsylvania for the upkeep of their streets and roads. Previous allocations have been made at each session, without any assurance to the communities of their degree of State assistance from year to year. We now propose to make them full partners in the work of maintaining the traffic arteries of Pennsylvania, with a recognized degree of both responsibility and participation.

Under long-standing legislation, the counties have been receiving one-half cent of each five cents that the State collected on a gallon of gasoline. Under the legislation now proposed, the county share will continue but the municipalities will be allocated 20 per cent of the State's gasoline tax collections, less the one-half cent reserved

for the counties and the one cent already allocated for flood area reconstruction. In addition, during the next biennium, any yield from the special flood area gasoline tax in excess of $45,000,000 secifically allocated will be distributed to the municipalities.

In all, the municipalities should receive about $60,000,000 in the biennium from the State's collection of the liquid fuels tax. This is an increase of $24,000,000.

It is further proposed that the allocation of funds to the municipalities be made on a basis of 55 per cent on road mileage and 45 per cent on population, instead of the 60-40 ratio used in the past. This recognizes the high cost of urban street construction and maintenance, but with due consideration for the special problems of thinly populated rural townships.

So that the State will be prepared to take full advantage of more favorable Federal highways legislation, it is proposed that increased borowing capacity be granted the State Highways and Bridge Authority to the full limit of the increase in matching funds required under the conditions of the Federal assistance. No general increase in the Authority's borowing power is sought, and no specific sum will be named. The increase will be conditional on Federal action, and in the amount that such action makes necessary.

In the 1953-55 biennium, the State's matching funds totalled $52,000,000. Only in the event that the matching funds required in the current biennium exceed that amount would be Authority's borrowing capacity be raised.

There is, however, an exception. The Authority would be empowered to issue bonds for the costs of such projects as may be specifically authorized by the General Assembly, provided that the Secretary of Highways certifies as to their cost and their necessity.

The increased revenues provided for highways use and the Highway and Bridge Authority's conditional power will be the implements by which the State may meet its third most pressing highways obligation—the maintenance and improvement of the 20,000 miles of State highway which are not eligible for Federal aid.

This mileage has been the neglected area in the State highways program. The compulsion of matching funds to obtain Federal grants, increasing costs for simple maintenance and the distribution of funds to the counties and municipalities, have for many years put an increasing "squeeze" on this portion of the highways system.

We now propose a rounded, balanced program which will make a reasonable allocation of State highways funds to the wholly State-supported roads. Under the legislative and fiscal program which is now advocated, that can and will be done.

It can hardly be necessary to emphasize the importance of the State's highway system to its economy, to its living standards, and to the desires of its people. There can be no argument as to the need; no phase of our public work has more nearly unanimous support.

In my judgment, the program now suggested has been carefully worked out, and is a reasonable approach to our problems. I strongly urge the General Assembly to give it prompt and favorable consideration.

GEORGE M. LEADER.
Governor.

The PRESIDENT. The communication will be spread upon the Legislative Journal.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

RECALLING SENATE BILL No. 593 FROM THE GOVERNOR

In the Senate, September 26, 1955.

Resolved (if the House of Representatives concur), that Senate Bill No. 593, Printer's No. 218, entitled "An Act amending the act of May 28 1915 (P. L. 596) entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions' extending the benefits to employes of certain authorities created jointly with other political subdivisions or joined in by the cities and authorizing credit for past service on making back payments", be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

RECALLING SENATE BILL No. 595 FROM THE GOVERNOR

In the Senate, September 26, 1955.

Resolved (if the House of Representatives concur), that Senate Bill No. 595, Printer's No. 219, entitled "An Act amending the act of March 7 1901 (P. L. 20) entitled 'An act for the government of cities of the second class' authorizing cities to regulate or prohibit the construction building or maintenance of certain fences made in whole or in part of wire with barbs", be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

RECALLING SENATE BILL No. 117 FROM THE GOVERNOR

In the Senate, September 27, 1955.

Resolved (if the House of Representatives concur), that Senate Bill No. 117, Printer's No. 23, entitled "An Act amending the act of May 2 1929 (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' authorizing collection of data concerning deceased veterans of armed conflicts authorizing the erection of monuments for and giving retirement benefits to veterans of armed conflicts", be recalled from the Governor for the purpose of amendment.

BILLS SIGNED

The President Lieutenant-Governor Roy E. Furman announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 121, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing the use of leased athletic facilities when schools are not open in certain cases.

Senate Bill No. 510, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "An Act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," further regulating appropriations for maintenance and operation of recreation places.

House Bill No. 699, entitled:

An Act amending the act of June 24, 1937 (P. L. 2045), entitled as amended "The Support Law," relieving children of liability for support of parents deserting them during minority.

House Bill No. 1553, entitled:

An Act making an appropriation to the State Treasurer for the purposes of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-five and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-five.

House Bill No. 1652, entitled:

An act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

REPORT FROM THE PENNSYLVANIA COMMISSION ON INTERSTATE COOPERATION

Mr. WATSON, on behalf of the Pennsylvania Commission on Interstate Cooperation, submitted the following report which was read by the Clerk as follows:

Commonwealth of Pennsylvania,
COMMISSION ON INTERSTATE COOPERATION,
Harrisburg, Pa., September 27, 1955.

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Pennsylvania Commission on Interstate Cooperation, I have the honor to transmit herewith the Third Biennial Report of the Pennsylvania Commission on Interstate Cooperation, Session of 1955, for the calendar years 1953 and 1954.

Copies of this report for distribution to the members of the Senate have been delivered to the Office of the Chief Clerk of the Senate.

Respectfully submitted,

/s/ Norman Wood
NORMAN WOOD, Chairman

The PRESIDENT. This report will be printed in full in the Appendix of the Legislative Journal.

PETITIONS AND REMONSTRANCES

Mr. PECHAN. Mr. President, yesterday, the President pro tempore of the Senate named a committee from the Senate as a part of the Joint Investigating Committee. He named six Members of the Senate, three Republicans and three Democrats, designating me as Chairman. I think there is some misunderstanding regarding this.

I think the Speaker of the House made a statement to somebody that the President pro tempore had no authority to name a chairman of that committee. I do not think the President pro tempore of the Senate intended that I act as chairman of that committee any more than he did when he named me to be the Chairman of the Senate group on the Laurelton Investigating Committee. I think the reason he named me as chairman is so somebody would be in authority to call a meeting of the group of twelve members. Then, we will sit down and elect a chairman within our own group. So there is no misunderstanding, I do not have any idea that I am going to act as chairman of that committee unless the group elects me as the Chairman of the Joint Investigating Committee.

I wanted to mention that in order that there will be no delay in the naming of the six House Members. When they are named, then we will sit down and elect our own chairman within our own body. I just wanted to bring that out so that there is no misunderstanding.

Mr. LANE. Mr. President, as I understand it, the gentleman from Armstrong takes the position that he was named by the President pro tempore of this Senate to serve as temporary chairman for the purpose of organizing this particular committee. If that is the case, I believe that the Speaker of the House will be satisfied. However, the President pro tempore of this Senate specifically stated that Senator Pechan was named chairman. As a matter of fact, the clerk read that Senator Pechan was chairman of the committee, and I felt that was entirely wrong because in the first place this is strictly a bipartisan committee. It is not dominated by either side and it would be the prerogative of the committee, itself, to elect their own officers.

Mr. PECHAN. That is exactly correct. The President pro tempore just named me as chairman of the Senate group so that somebody would be in authority to call an organization meeting and then we will elect our own chairman within our twelve members.

Mr. LANE. Mr. President, speaking for the Democratic side, we are well satisfied with that explanation.

Mr. PECHAN. Mr. President, I think if Senator Lane reveals my remarks to the Speaker of the House, then we can get the ball rolling and perhaps call a meeting in the very near future for the purpose of setting up some rules and electing our own chairman.

Mr. LANE. Mr. President, after hearing Senator Pechan's statement, I will be very glad to notify the Speaker of the House about the statements made, and which are in the record. I feel sure that he will be more than willing to cooperate and will have the Membership of the House named at once.

PERMISSION TO ADDRESS SENATE

Mr. WOLF asked and obtained unanimous consent to address the Senate.

Mr. WOLFE. Mr. President, in the Union-Centre County area there is a recreational park known as Half-Way, meaning half-way between two points. The road leading through this Half-Way area, between Buffalo Valley and Brush Valley, dates back to 1792. The present road dates back to 1860, which was probably about the date of the

name Half-Way, because it was half-way through the mountains. At one time there was a tavern, dam and water power saw mill on the recreational site.

Half-Way Park is in the Bald Eagle State Forest, which has been developed into a recreational area where thousands of people enjoy boating, swimming, and fishing, hunting and the great outdoors.

Mr. President, one man is largely responsible for this development. He is Raymond Burrows Winter, who retired a few months ago after forty-eight years of service in the Department of Forests and Waters, most of which time was spent as District Forester. Upon his retirement, the Department of Forests and Waters issued an official release which I shall quote:

"Raymond Burrows Winter was born December 20, 1881, in Muncy, Lycoming County, Pennsylvania. He was graduated from the Muncy Normal School in 1906. After this he taught school awhile and then turned to what became a lifelong interest—Pennsylvania forests. He entered the Pennsylvania State Forest Academy in 1907 and graduated in 1910. Winter, better known to his friends as 'Foxy,' was first assigned as forester with the Department of Forestry on the White Deer Forest at Mifflinburg. As the old forest reserves developed into State forests and as the forest districts were organized under Gifford Pinchot, Winter became District Forester of the Bald Eagle District with headquarters at Mifflinburg. The end of World War I found Winter in the Officers Training School at Lewisburg, Pennsylvania.

"'Foxy,' who admits that he well deserves the nickname, saw the district develop from a badly burned, worn-out forest area to its present state. His early days with the Department were devoted to fire control and prevention, tree planting, road and trail building and gradually a little recreational work for the local people. These developments were speeded up during CCC days, when more physical improvements became available to the forester than perhaps any forester had dreamed possible for the next twenty-five years. The forests did grow, the forester protected and developed the forest; none among the foresters did this better or more conscientiously than 'Foxy' Winter.

"Today, the Bald Eagle State Forest is an established and thrifty forest. The management plan calls for an annual cut of close to 20,000,000 feet of timber per year. The district as a whole is quite and prosperous. The people believe in the forest, its use and its protection and the District Forester had much to do with bringing these things about.

"This year Mr. Winter rounds out forty-eight years of active service in Pennsylvania and retires from active duty. He is a member of the Society of American Foresters and the Pennsylvania Forestry Association. Some one else will pick up the district forester's activities but no one can ever take over the forester's job as Winter saw and lived it. No forester can see or live in the interest of Pennsylvania forests."

Mr. President, I am presenting a resolution today in which I am recommending that the recreational area, known as the Bald Eagle State Forest in Union County, and now known as Half-Way State Parks, be renamed "Raymond B. Winter State Forest Park" in lasting tribute to his untiring work in conservation.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

REQUESTING THAT HALF-WAY STATE FOREST PARK BE RENAMED RAYMOND B. WINTER STATE FOREST PARK

Mr. WOLFE offered the following resolution which was twice read and referred to the Committee on Forests and Waters, Game and Fish:

In the Senate, September 27, 1955.

The name of Pennsylvania was given to the colony of William Penn and inherited by the Commonwealth because of the verdant forests that once covered its territory. But indifference or lack of foresight to the future wealth in years past rapidly denuded Pennsylvania's hillsides of its trees; and carelessness and indifference to the value of second growths permitted repeated fires to ravage the cut-over area and to scorch the earth into a state of ugliness and unproductivity, robbing the land of its protecting forest growth.

A bleak and uninviting example of this catastrophe was what is now the Bald Eagle State Forest in Union County when Raymond B. Winter was sent there as a forester in 1910. The area was a charred wilderness of dead brush, stumps and a mud hole formerly a saw mill dam.

During his forty-five years of service there, Mr. Winter transformed the area into one of Pennsylvania's outstanding beauty spots. With far-sighted planning and tireless efforts he undertook the task of rehabilitation. His early days in the area were devoted to fire control and prevention, three planting, road and trail building and gradually a little recreational work for the local people, which later, with the help of the Civilian Conservation Corps during the early thirties and later improvements developed into a State Forest park of four hundred acres with a concrete and stone masonry dam on the site of the former saw mill dam, presently known as the Half-Way State Forest Park. And today the Bald Eagle Forest is an established and thrifty forest.

That Bald Eagle is one of the finest and best preserved forest districts in the State today is due mainly to the dilligent and conscientious work of Mr. Winter; therefore be it

Resolved (The House of Representatives concurring), That the recreational area in the Bald Eagle State Forest in Union County now known as Half-Way State Forest Park be renamed Raymond B. Winter State Forest Park in lasting tribute to his untiring work in conservation.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 262, Printer's No. 255, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 721, Printer's No. 251, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING, RECALLED FROM THE GOVERNOR

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 306, Printer's 264, on third reading, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 156, as follows:

An Act amending the act of June 1 1945 (P L 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" authorizing the department to provide for certain work on municipality owned public utilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of June 1 1945 (P L 1242) known as the "State Highway Law" is amended by adding after section 412 a new section to read

Section 412.1 Adjustment of municipally owned public utility facilities whenever in the construction reconstruction widening or relocation of any State highway bridge or tunnel or any part thereof it becomes necessary in the opinion of the secretary to change alter adjust or relocate any water line gas line or sanitary sewer owned and operated as a public utility by a city borough incorporated town or township the department may make such change alteration adjustment or relocation as may be required as a part of such construction reconstruction widening or relocation the department may also enter into agreements with any such city borough incorporated town or township for the sharing in the costs of such change alteration adjustment or relocation in any case where in the opinion of the secretary such costs should be shared by the department and a city borough incorporated town or township and the department is unable to agree with such city borough incorporated town or township to a division of the costs the department may proceed with the work and petition the Pennsylvania Public Utility Commission for a determination of the costs to be borne by each party

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 165, as follows:

An Act amending the act of June 30 1947 (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" changing the method of selecting panels for the adjustment of grievances of certain school district employes and imposing additional duties on such panels

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of section 1 act of June 30 (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" amended August 26 1953 (P. L. 1474) is amended to read

Section 1 As used in this act

* * *

(b) The word "strike" means the failure to report for duty the wilful absence from one's position the stoppage of work or the abstinence in whole or in part from the full faithful and proper performance of the duties of employment for the purpose of inducing influencing or coercing a change in the conditions or compensation or the rights privileges or obligations of employment Provided however That nothing contained in this act shall be construed to limit impair or affect the right of any public employe to the expression or communication of a view grievance complaint or opinion on any matter related to the conditions or compensation of public employment or the betterment thereof so long as the same is not designed to and does not interfere with the full faithful and proper performance of the duties of employment nor to limit impair or affect the right of any such employe to attend meetings conferences or hearings relating to such matters so long as such attendance is not designed to interfere with the full faithful and proper performance of the duties of employment for the further purpose of equitably carrying out the provisions of this act In order to avoid or minimize any possible controversies by making available full and adequate governmental facilities for the adjustment of grievances the governmental agency involved at the request of the public employes shall within fifteen (15) days of such request set up a panel of three members one to be selected by the employes one by the governmental agency and the two so selected to select a third member If within fiften (15) days of their selection the two members selected by the governmental agency and the employes involved are unable to agree on the third member of the panel either the governmental agency or the public employes may petition the Court of Common Pleas of Dauphin County if the controversy involves the Commonwealth of Pennsylvania its agencies boards commissions or any of its authorities to select the third member of the panel If the controversy involves any political subdivision of the Commonwealth or any other authority within a political subdivision such petition for the selection of a third member of the panel shall be presented to the court of common pleas of the county wherein the political subdivision or the authority is situated Upon receipt of such a petition the proper court shall select the third member The members of the panel shall be compensated for all necessary expenses by the Commonwealth or the political subdivision thereof or the authority involved The panel shall meet within fifteen (15) days If the grievance can be adjusted through negotiation and in-

formal conferences between the various parties it shall be so adjusted If the conference negotiations do not result in rulings satisfactory to all parties concerned within thirty (30) days of a request made for a hearing by any of the parties concerned the panel shall afford the public employes and the governmental agency a full hearing Within thirty (30) days of the close of such hearing the panel shall make their findings copy of which shall be forthwith sent to the Governor to the General Assembly and to the head of the agency or political subdivision involved Upon receipt of the findings of the panel the Governor or the head of the State agency or political subdivision involved may take administrative measures to remedy the complaints If the Governor or the head of the State agency or political subdivision finds that the cituation complained of can only be remedied by legislative action the Governor may refer the matter to the Legislature for corection or the head of the State agency or political subdivision may refer the matter to the proper law-making body If the members of the panel decide that legal counsel is necessary they may with the approval of the Attorney General engage local counsel to advise them on the questions involved [Provided however That in] In the case of grievances or controversies involving professional employes of the public school system of the Commonwealth the school board or Board of Public Education at the request of the employes shall set up a panel of three members one an employe of the school district to be selected by the employes one a member of the board of school directors or Board of Public Education to be selected by such body and the third shall be the State Superintendent of Public Instruction or his nominee The members of the panel shall serve without compensation but shall receive all necessary traveling expenses which shall be paid by the school district or Board of Public Education involved

In the case of grievances or controversies involving employes other than professional employes of the public school system of the Commonwealth the school board or board of public education at the request of the employes shall set up a panel of three members one to be selected by such employes one to be selected by the Board of School Directors or Board of Public Education and the two so selected to select a third member The panel shall meet within fifteen (15) days and shall consider all grievances submitted to it by the authorized representatives of such employes The members of the panel shall serve without compensation but shall receive all necessary traveling expenses which shall be paid by the school district involved

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 340, Printer's No. 999, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 528, as follows:

An Act authorizing and empowering the Delaware River Port Authority to finance construct erect acquire operate maintain and own a new toll bridge for vehicular traffic across the Delaware River between Philadelphia County Pennsylvania and Burlington County or Camden County New Jersey at a location to be selected by the said Delaware River Port Authority between a point or points within a three mile radius of the intersection of State Road and Levick Street in the City of Philadelphia Pennsylvania and a point or points within a three mile radius of the intersection of New Jersey State Route No 73 Market Street and Temple Boulevard in the borough of Palmyra County of Brlington New Jersey together with such approaches thereto and such highway connections as may be necessary or desirable and granting and defining and continuing certain powers of eminent domain and other functions powers duties and privileges all of said actions to be taken pursuant to and in accordance with this act and the Compact or Agreement and amendments or supplements thereto between New Jersey and Pennsylvania dated July 1 1931 August 23 1951 and August 30 1951 and the consent by the Congress of the United States thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Delaware River Port Authority (hereinafter sometimes called the "Authority") after investigation and study having concluded plans with estimates of cost and means of financing for a new project for transportation across the Delaware River within the Port District consisting of a new toll bridge for vehicular traffic across the Delaware River between a point or points within a three mile radius of the intersection of State Road and Levick Street in the City of Philadelphia State of Pennsylvania and a point or points within a three mile radius of the intersection of New Jersey State Route No. 73 Market Street and Temple Boulevard in the borough of Palmyra County of Burlington State of New Jersey together with such approaches thereto and such highway connections as may be necessary or desirable (herein sometimes called collectively "new toll bridge") and the Authority having made to the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey a detailed report dealing only with said project and having requested of said Legislatures authority to proceed with the project described in said report all pursuant to in accordance with and as provided in the Compact or Agreement between the Commonwealth of Pennsylvania and the State of New Jersey hereinafter mentioned the Authority is hereby authorized and empowered to finance construct erect acquire operate maintain and own such a new toll bridge for vehicular traffic together with such approaches thereto and highway connections as the Authority may deem necessary or desirable and to proceed with the said project outlined in said detailed report The Authority in addition to other public purposes provided for it and other powers and duties conferred upon it and not in limitation thereof and notwithstanding any of the provisions of any Act shall have among its authorized purposes such financing construction erection acquisition operation maintenance and ownership of such new toll bridge for vehicular

traffic all pursuant to in accordance with and as provided in this Act and the Agreement or Compact and the Amendments and Supplements thereto (herein sometimes called the "Compact") between the Commonwealth of Pennsylvania and State of New Jersey creating The Delaware River Port Authority as a body corporate and politic and defining its powers and duties which said Compact as amended or supplemented is duly authorized by the Acts of the Commonwealth of Pennsylvania approved June 12 1931 Act No 200 P. L. 575 July 18 1951 Act No. 214 P. L. 1010 August 10 1951 Act No 274 P. L. 1206 and by the laws of the State of New Jersey approved June 30 1931 Chapter 391 P. L. 1931 June 26 1951 Chapter 287 P. L. 1951 June 26 1951 Chapter 288 P. L. 1951 and has been duly consented by the Congress of the United States by Public Resolution No. 26 72nd Congress (S J Resolution 41) approved June 14 1932 Public Law 573 Chapter 921 82nd Congress Second Session approved July 17 1952 Public Law 574 Chapter 922 82nd Congress Second Session approved July 17 1952.

Section 2 For the effectuation of any of its purposes authorized by this Act the Authority is hereby granted in addition to and in support of any other powers heretofore or hereafter granted to it power and authority to acquire in its name by purchase or otherwise on such terms and conditions and in such manner as it may deem proper or by the exercise of the power of eminent domain any land and other property which it may determine is reasonably necessary for the new toll bridge referred to in this act or for the construction of such approaches thereto or highway connections as the Authority shall deem necessary and any and all rights title and interest in such land and other property including public lands parks playgrounds reservations highways or parkways owned by or in which any county city borough town township village or other political subdivision of the Commonwealth of Pennsylvania or State of New Jersey has any right title or interest or parts thereof or rights therein and any fee simple absolute or any lesser interest in private property and any fee simple absolute in easements upon or the benefit of restrictions upon abutting property to preserve and protect such bridge the approaches thereto or highway connections Upon the exercise of the power of eminent domain under this Act except as provided in Article XII of the Compact the compensation to be paid with regard to property located in the Commonwealth of Pennsylvania shall be ascertained and paid as provided by the Act of July 9 1919 (P L 814) and acts amendatory thereof and supplementary thereto insofar as the provisions thereof are applicable and not inconsistent with the provisions of the Compact and of this act and upon the exercise of the power of eminent domain except as provided by Article XII of the Compact the compensation to be paid with regard to property located in the State of New Jersey shall be ascertained and paid in the manner provided in chapter one of Title 20 of the Revised Statutes of New Jersey insofar as the provisions thereof are applicable and not inconsistent with the provisions of the Compact and of this Act The Authority may join in separate subdivisions in one petition or complaint the descriptions of any number of tracts or parcels of land or property to be condemned and the names of any number of owners and other parties who may have an interest therein and all such land or property included in said petition or complaint may be condemned in a single proceeding provided however that separate awards shall be made for each tract or parcel of land or property and provided further that each of said tracts or parcels of land or property lies wholly in or has a substantial part of its value lying wholly within the same county

Section 3 The Commonwealth of Pennsylvania and State of New Jersey hereby consent to the use and occupation by the Authority of any real property of the said States which may be or become necessary or convenient to the effectuation of the authorized purposes of the Authority including lands lying under water and lands already devoted to public use

Section 4 The term "property" as used herein includes lands structures franchises and interests in land including lands under water and riparian rights and any and all things and rights usually included within the said term and includes not only fees simple absolute but also any and all lesser interests such as easements rights of way uses leases licenses and all other incorporeal hereditaments and every state interest or right legal or equitable including terms of years and liens thereon by way of judgments mortgages or otherwise claims for damages to real estate and includes also personal property franchises and any other rights granted by any statute or convenant

Section 5 The Authority and its duly authorized agents and employes may enter upon any land in the Commonwealth of Pennsylvania and State of New Jersey for the purpose of making such surveys maps or other examinations thereof as it may deem necessary or convenient for the purpose of constructing the bridge approaches and highway connections authorized hereby

Section 6 In addition to all tax exemptions given by the Compact to the Authority to its property and to the bonds or other securities or obligations issued by it no property real or personal nor its transfer or use shall be subject to any tax by the Commonwealth of Pennsylvania or the State of New Jersey or any political subdivisions of either of them imposed on the purchase use sale transfer or on the privilege of transferring title to such property or on the execution delivery or recording of any written instrument in connection therewith to or by the Authority in carrying out the project authorized by this Act or in carrying out any other undertaking of the Authority

Section 7 Notwithstanding any of the provisions of this Act the Authority shall not in connection with the new toll bridge construct any approach or highway connection in the Commonwealth of Pennsylvania unless and until the Department of Highways of said Commonwealth shall have filed with the Authority its written consent to the location and general plans of the approaches and highways connections and the Authority shall not in connection with the new toll bridge construct any approach or highway connection in the State of New Jersey unless and until the State Highway Department of said State shall have filed with the Authority its written consent to the location and general plans of the approaches and highway connections As used in this paragraph the term "approach" or "highway connection" means and includes any highway road or structure for passage of vehicles located inland of any of the established bulkhead lines of the Delaware River including any highway road or structure for passage of vehicles necessary to create access to the new toll bridge referred to in this Act or to connect such bridge with a highway system or other traffic facilities or necessary to facilitate the flow of traffic in the vicinity of such bridge

Section 8 As provided in the compact and in any event not in derogation of any powers granted therein or in any manner heretofore the Authority is authorized to establish levy collect and combine tolls rents rates and other charges and revenues in accordance with the Compact and the Congressional consents thereto as it may deem convenient or necessary for the use of the new toll bridge and of other bridges projects and other undertakings authorized by the Compact and to use and pledge the same as provided in the Compact and the Congresional consents thereto The new toll bridge may be constructed in whole or in part with funds to be raised by the Authority on bonds or other securities or obligations issued or incurred by it pursuant to the Compact

Nothing contained in this Act or in any other Act shall be deemed to prevent the Authority if it shall acquire by purchase or condemnation the existing Tacony-Palmyra Bridge in accordance with the powers heretofore conferred upon it by the Compact and the Congressional Consents thereto and by the consents to such acquisition heretofore given by the Governors of the Commonwealth of Pennsylvania and the State of New Jersey which powers and consents are hereby continued and confirmed from discontinuing the operation of said Tacony-Palmyra bridge Provided however that the Authority shall not cease to operate the present Tacony-Palmyra Bridge until the new Toll bridge authorized by this Act shall have been completed and placed in operation

Section 9 Notwithstanding any provision of this Act the Authority shall have no power to pledge the credit of the Commonwealth of Pennsylvania or the credit of the State of New Jersey or the credit of any county city borough village township or other municipality of said Commonwealth or of said State or to create any debt of said Commonwealth or of said State or of such municipality

Section 10 Any powers vested in the Authority by this act shall be in addition to and not in diminution of the powers heretofore vested by law in the Authority

Section 11 This act shall take effect immediately but the Delaware River Port Authority shall not proceed with construction of the new toll bridge until or unless the State of New Jersey shall have enacted a substantially similar act

Section 12 The provisions of the agreement or Compact authorized by the Acts of the Commonwealth of Pennsylvania approved the 12th day of June 1931 (P. L. 575) the 18th day of July 1951 (P. L. 1010) and the 10th day of August 1951 (P. L. 1206) and by the Acts of the State of New Jersey approved the 30th day of June 1931 Chapter 391 the 26th day of June 1951 Chapter 288 and the 26th day of June 1951 Chapter 287 are maintained in full force and effect

Section 13 If any provision of this Act or the application thereof to any person or circumstance is held invalid such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application and to this end the provisions of this Act are declared to be severable

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Madigan,	Peelor,	Wagner,
Dent,	Kopriver, Jr.,	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 705, as follows:

An Act providing for the payment of certain outstanding checks more than seven years old and making appropriations therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums of money or so much thereof as may be necessary are hereby specifically appropriated to the Treasury Department for the purpose of payment of replacement checks issued and requistioned by the Treasury Department for the purpose of compensating any person issued a check between May 24 1943 and March 29 1946 both inclusive and not presented for payment

(A) Out of the General Fund	$ 27.90
(B) Out of the Motor License Fund	417.64
(C) Out of the State Workmen's Insurance Fund	31.72
(D) Out of the Unemployment Compensation Fund	93.00

Section 2 Any persons issued a check between May 24 1943 and March 29 1946 both inclusive who did not present the check for payment may present a claim for the payment of such check to the Department of the Auditor General for the purpose of examining and adjusting such claim in the manner provided by sections 306 405 and 1003 of the act of April 9 1929 (P L 343) known as "The Fiscal Code"

Section 3 If the Auditor General and State Treasurer determine that a moral claim exists against the Commonwealth for payment of the check and that such claim or claims are not adjustable or recoverable against the Commonwealth under existing law they shall make a finding to that effect and shall fix the sum which in their opinion will compensate the claimant for nonpayment of the check

Any amount so fixed by the Auditor General and the State Treasurer shall be payable from the appropriation hereinbefore made by requisition in the manner provided by law To each such requisition shall be attached the findings of the Auditor General and the State Treasurer

Section 4 If the Auditor General and the State Treasurer should for any reason refuse to grant a claim authorized to be made by this act the claimant shall have the right to appeal to the Board of Finance and Revenue and from the decision of that board to the Court of Common Pleas of Dauphin County in the manner prescribed by law

Section 5 No statute of limitations or other limitations as to time prescribed by law shall apply to or limit a claim made pursuant to the provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 794, Printer's No. 1001, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1003, as follows:

An Act amending the act of May 1 1929 (P L 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for a limited period to certain nonresidents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 401 act of May 1 1929 (P L 905) known as "The Vehicle Code" amended June 27 1939 (P L 1135) is amended to read

Section 401 Registration of Motor Vehicles Trailers and Semi-Trailers Required Special Permits for Nonresidents

(a) Except as is hereinafter provided no motor vehicle trailer or semi-trailer shall be operated upon any highway in this Commonwealth until such motor vehicle trailer or semi-trailer shall have been properly registered with the department as hereinafter provided and the registration plate or plates that have been issued for the vehicle for the current year are received and displayed as required by this act and no motor vehicle shall be registered until a certificate of title has been obtained therefor

(b) [The] Except as hereinafter provided the owner of a foreign vehicle operated within this Commonwealth for the transportation of persons for compensation either regularly according to schedule or for a period exceeding thirty (30) days in the calendar year unless exempted from registration under the terms of a reciprocity agreement shall register such vehicle and pay the same fees therefor as are required for like vehicles owned by residents of this Commonwealth

(c) [Every] Except as hereinafter provided every nonresident including any foreign corporation carrying on business within this Commonwealth and owning and regularly operating in such business any motor vehicle trailer or semi-trailer within this Commonwealth unless exempted from registration under the terms of a reciprocity agreement shall be required to register each such vehicle and pay the same fee therefor as is required with reference to like vehicles owned by residents of this Commonwealth

(c.1) Any nonresident who brings a vehicle properly registered in his resident state into the Commonwealth for transporting seasonal crop workmen to be employed on Pennsylvania farms or for seasonal crop operations on Pennsylvania farms may obtain a special permit to operate the vehicle for a period of ninety (90) days in any one registration year from the date he would otherwise be required to register the vehicle The fee for the permit shall be one-fourth of the fee paid by residents of the Commonwealth for registration of similar vehicles Upon payment of the fee the department shall issue the nonresident applicant a special certificate which shall contain the name and address of the nonresident owner the registration plate number issued him by his resident state the commencing and expiration date of the permit and a statement that the vehicle is used in transporting seasonal crop workmen or seasonal crop operations on Pennsylvania farms The nonresident shall conspicucously display his resident registration plate and shall carry on his person the special certificate when operating the vehicle on the highways of this Commonwealth vehicles for which special permits are obtained pursuant to this subsection shall be subject to inspection of their mechanism and equipment as required of other vehicles by this act

(d) Motor vehicles trailers and semi-trailers determined by the department to be used exclusively by any person or his agents and employes upon the farm or farms he owns or operates or upon highways connecting by the most direct route any farms or portions of farms all of which are situated in any one county or county next adjoining thereto and under the single ownership or operation of such person shall be exempt from registration on issuance by the department of a certificate of exemption Provided That motor vehicles trailers and semi-trailers exempt from registration under this act may be operated upon highways connecting by the nearest route such farm or farms and the nearest official inspection station for purposes of inspection as provided for in this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Stevenson,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1435, as follows:

An Act amending the act of June 1 1945 (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways

and by the Department of Highways relating thereto" further regulating streets in cities of the second class and the powers duties and obligations of such cities and the Commonwealth with regard thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The heading of subdivision (c) of Article V and the first paragraph of section 521 act of June 1 1945 (P. L. 1242) known as the "State Highway Law) are amended to read

(c) Streets in [Second] Second A and Third Class Cities

Section 521 Restrictions and Limitations Upon Powers and Obligations of State The designation or taking over of any street of any city of the [second] second A or third class as a State highway by any act of Assembly is not intended and shall not be construed

* * *

Section 2 Section 523 of the act amended June 20 1947 (P. L. 679) is amended to read

Section 523 Width Lines Grades and Location The department shall not change the width lines or grades of the streets taken over under the provisions of any act of Assembly or any section thereof without the consent of the city evidenced by a ordinance duly passed in accordance with laws applicable thereto In the event of any change of width lines or grades in accordance with the provisions of this section the city shall be responsible for the payment of any damages which may be occasioned thereby such damages to be ascertained and paid in accordance with the laws applicable thereto Provided however That nothing contained herein shall prevent the county or the Commonwealth or both from contributing to or sharing in the payment of the damages occasioned by any such change of width lines or grades of a street under the terms of an agreement enterd into by the interested parties For such purposes counties shall have the power to expend county moneys or moneys allocated to the county by the Commonwealth for expenditure for highway purposes and the Department of Highways shall have power to expend moneys from the Motor License Fund

Whenever it shall appear to the secretary that any part or portion of a State highway route in a city of the [second class] second class A or third class as now or hereafter defined or described is dangerous or inconvenient to the traveling public in its present location either by reason of width grade length curves or other conditions or that the expense to the Commonwealth in the construction or maintenance thereof could be materially lessened by a change of location the secretary may with the consent of the Governor and of the city expressed by ordinance or resolution change the location of such State highway route including the terminal points thereof to pass over existing streets or new streets laid out and opened by the city in such manner as in his discretion may seem best in order to correct such danger or inconvenience or lessen the cost of the Commonwealth A Plan showing the new location approved by the governor and the mayor of the city shall be recorded in the office of the recorder of deeds in the county in which such city shall be located

Section 3 The title of subdivision (d) of Article V the first paragraph of section 541 and sections 545 and 549 of the act are amended to read

(d) Streets in First and Second Class Cities

Section 541 Restrictions and Limitations upon Powers and Obligations of State The designation or taking over of any street of any city of the first or second class as a State highway by any act of Assembly is not assembly is not intended and shall not be construed

* * *

Section 545 Taking Opening Relocation Widening Change of Grade Damages The secretary with the approval of the Governor and any such city of the first or second class is hereby authorized to enter into agreements for the taking opening relocation widening or change of grade by the Commonwealth of any State highway or section thereof within the limits of such city Such agreements may provide inter alia for the payment by the city of all or part of the property damages resulting by reason of the taking opening relocation widening or change of grade by the Commonwealth of such highway or section thereof

The amount of damages payable for such taking opening relocation widening or change of grade by the Commonwealth shall be ascertained in accordance with Article III of this act relating to the payment of damages for the taking opening relocation widening or change of grade of State highway routes Each city of the first or second class is hereby appointed and constituted the agent of the Commonwealth in the taking opening relocation widening or change of grade of any such highway or section thereof within its limits and in the determination of property damages payable therefor under the provisions of this subdivision of this article The city as agent for and on behalf of the Commonwealth shall determine by amicable settlement legal proceedings or otherwise all claims for damages in accordance with the procedure established by law for the determination of damages resulting from the exercise of eminent domain by cities of the first or second class No agreement for the settlement of any claim for damages shall become effective until approved by the secretary and the secretary shall at the expense of the Commonwealth have the right to be represented by counsel and witnesses in any judicial proceedings to ascertain the damages payable but all other expenses of such judicial proceedings exclusive of damages shall be paid by the city The damages resulting from such taking opening relocation widening or change of grade of any such street or section thereof when finally ascertained whether by settlement award judgment or otherwise shall be paid out of moneys in the Motor License Fund and all sums if any due by such city as its share thereof under any such an agreement with the Commonwealth shall be paid by such city to the Commonwealth and shall be credited in the Motor License Fund

Section 549 Cities Authorized to Incur Indebtedness Cities of the first and second class are hereby authorized to incur or to increase their indebtedness by the issue and sale of obligations of the city in the manner and subject to the limitations provided by law for the purpose of assisting in the improving constructing reconstructing or resurfacing any of the streets or sections thereof the improvement of which is authorized in accordance with the provisions of this subdivision of this article

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1637, Printers No. 973, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 162, Printer's No. 90; and

House Bill No. 620, Printer's No. 963.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 648, entitled:

An Act making an appropriation to the Department of Public Instruction to pay reimbursements to school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senatte proceeded to the second reading and consideration of Senate Bill No. 649, entitled:

An Act making an appropriation to the Department of Public Instruction for payments due municipality authorities and non-profit corporations on account of school building rentals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 722, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating issuance of registration plates to newspaper newsreels or television photographers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 723, entitled:

An Act amending the act of March 10 1948 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing joint school committees to manage designated functions of joint schools or departments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1721, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds property and investments held in a fiduciary capacity

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1799, entitled:

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1800, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED AND REFERRED

Mr. SCHMIDT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. SCHMIDT and STEVENSON read in place and presented to the Chair Senate Bill No. 780, entitled:

An Act amending the act of July 2, 1937 (P. L. 2821), entitled "An act to regulate the sale, and advertising for sale, of goods, wares, and merchandise purporting to be an insurance, bankruptcy, mortgage, insolvent, assignees, receivers, trustees, removal, or closing-out sale, or sale of goods damaged by fire smoke, or water, in cities and certain boroughs of this Commonwealth; and to prevent fraudulent practices in connection therewith, and providing penalties for the violation thereof, and for the imposition of licenses fees for permission to conduct the same," making the provision of the act effective in municipalities and townships; further regulating statements of inventories; further regulating the issuance, renewal, denial and refusal of licenses and the conduct of sales; designating certain action as violation of the act authorizing appeals from refusal or denial to issue licenses.

Which was committed to the Committee on Local Government.

Messrs. SCHMIDT and STIEFEL read and presented to the Chair Senate Bill No. 781, entitled:

An Act relating to and providing for the promotion and development of a State-wide recreation program in the Commonwealth; conferring powers and duties upon the Department of Recreation.

Which was committed to the Committee on State Government.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 172, entitled:

An Act amending the act of June three one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" requiring the Pennsylvania Game Commission to pay unrecovered costs of suit.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 386, entitled:

An Act amending the act of March 26, 1931 (P. L. 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" providing a fee for services in cases removed to any appellate court of this Commonwealth or to any court of the United States.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 459, entitled:

An Act prohibiting operation of boats having a manufacturer's horsepower rating in excess of seven and one-half on Quaker Lake in Susquehanna County.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 510, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Forests and Waters to lease to religious groups

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 584, entitled:

An Act amending the act of May 2, 1925 (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," authorizing issuance of resident fishing licenses to certain resident who intend to become naturalized.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 608, entitled:

An Act amending the act of May 2, 1925 (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," authorizing the use of long bows and arrows for capturing or killing carp.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 672, entitled:

An Act authorizing cities, boroughs, incorporated towns, townships and counties to create historic areas within their geographical limits; providing for the appointment of historical boards empowered to preserve historis buildings and to regulate the erection, reconstruction, alteration, restoration, demolition, or razing of buildings within the historic areas.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 673, entitled:

An Act relating to historic sites and structures, declaring the same to be affected with a public interest; prohibiting the destruction, defacing, or altering thereof without approval of the Pennsylvania Historical and Museum Commission; constituting the commission a legislative agency for the purpose of this act; authorizing it subject to appeal to determine the educational value of such sites and structures; providing for injunction authorizing the commission to provide for the maintenance and preservation of such sites and structures; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 715, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to appoint a county historian in each county of the Commonwealth, and prescribing the method of appointment; providing in certain cases for compensation, expenses and office space for county historians and outlining their duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 716, entitled:

An Act amending the act of May 29, 1931 (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 730, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county, commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notice; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," providing for the use of United States certified mail service in lieu of United States registered mail, when required by the act for the purpose of giving of notice.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 731, entitled:

An Act authorizing the use of certain mail services in lieu of registered mail when required by existing law for the purposes of serving notices or processes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 746, entitled:

An Act providing for appropriations by cities of the first class to certain firemen's pension funds and for annual audits by the city controller; defining the status of such pension funds and the cities representation for the administration thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 757, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "An act empowering cities of the second class, cities of the second class A, cities of the

third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purpose; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," defining the effect of requirement that real property transfer taxes be paid by the transferor on preexisting ordinances and resolutions and valadiating such ordinances and resolutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 758, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," authorizing taxing authorities to impose real property transfer taxes on either the transferor or on the transferee.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 954, entitled:

An Act amending the act of June 24 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government and institution district for the care and maintenance of cerain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations impcsing certain existing obligatons on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for annual salaries for county commissioners in counties of the second class for services as officers of the institution district

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1050, entitled:

An Act fixing the salary of the clerk of the court of oyer and terminer quarter sessions of the peace and of the municipal court and the first and second deputies in Philadelphia and repealing certain legislation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1098, enittled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating the use of certain devices used for catching fish.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1135, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing hunting in open season by certain persons of deer or bear in dog training areas.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1173, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting contributors to the police pension fund to withdraw their increment contributions under certain circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1503, entitled:

An Act amending the act of May 28, 1913 (P. L. 367) entitled "An act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum thereof" removing the limitation on the maximum salary which may be paid to directors or heads of departments in cities of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1724, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second

class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" changing the method of computing pensions and providing a method of paying service increments from the pension fund to employes of the bureau of fire after retirement.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Wednesday, September 28, 1955, at 9:00 o'clock, a. m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:14 o'clock, p. m., Eastern Standard Time, until Wednesday, September 28, 1955, at 9:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY September 27, 1955.

The House met at 12:00 noon EST.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Reverend Franklin E. Kooker, Minister of Central Methodist Church, Honesdale, guest Chaplain, cousin of Mrs. Margarette S. Kooker, Member from Bucks County, and guest of Mr. Wall, Member from Wayne County, offered the following prayer:

Almighty God, our Heavenly Father, we pause to bow for a brief moment in Thy presence before we begin the work of this day.

Help us to remember that Thou art near to guide and bless what we plan and do. Give us a desire to be fitted for our tasks today by the wisdom and grace which Thou alone canst supply.

We thank Thee again that Thou hast called us to the service of the people in the high office of government. Give us a vision of Thy throne, eternal in the heavens, from which all law and justice do proceed. As we seek to mould the laws by which our life within this state shall be governed, move us to seek Thy divine and holy will above all else, that our decisions shall reflect what is Thy desire for the good of the people.

Remind us that we are here, not only to represent the will of the people, but that we must give a good account of ourselves.

Forgive us for those times when we have looked upon our job as unimportant, or when we have been tempted to feel that our vote did not really count. Keep us from trading good conscience, integrity, and self-respect for what at the moment seems to be the expedient thing to do. Help us to be humble in our successes and teachable in our defeats and disappointments.

Stand, we pray, by the bedside of the President of the United States that he may know Thy comforting and healing power. Preserve his life and strength his spirit for the right handling of his many responsibilities.

Likewise do we pray for the physical well-being and the moral leadership of the governor of our Commonwealth.

And now in the further business of this day grant us patience, courage, and faith; for these things we ask in the name of Thy son, Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, September 26, 1955 will be postponed until printed. The Chair hears none.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MAXWELL asked and obtained permission for the Committee on Child Care to meet during the session of the House.

BILLS INTRODUCED AND REFERRED

By Messrs. MULDOWNEY and FRASCELLA.

HOUSE BILL No. 1814.

An Act requiring the licensing of all places where direct television broadcasts are shown and admission fees are charged.

Referred to the Committee on Professional Licensure.

By Mr. STRAUSSER. HOUSE BILL No. 1815.

An Act authorizing council of any incorporated town to create the office of town manager, and prescribe his powers and duties.

Referred to the Committee on Boroughs.

By Messrs. RIGBY and SARRAF. HOUSE BILL No. 1816.

An Act making an appropriation to the Carnegie Institute, Pittsburgh.

Referred to the Committee on Appropriations.

By Messrs. WELSH and LEONARD.

HOUSE BILL No. 1817.

An Act providing for the promulgation of basic conditions of employment for public employes, authorizing discussions of the terms thereof and agreements relating thereto, regulating the processing of grievances arising therefrom and providing the procedure therefor, authorizing discussions and hearings on wages, salaries and other matters affecting the budget of public bodies, establishing public employees impartial board and conferring powers and duties thereon, imposing duties and prohibitions upon public employees, and authorizing their representation by representatives of their own choosing; repealing certain acts.

Referred to the Committee on Labor Relations.

By Mr. BANKER. HOUSE BILL No. 1818.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, authorizing exemptions of parsonages, manses and convents from taxation.

Referred to the Committee on Judiciary.

By Mr. LIMPER. HOUSE BILL No. 1819.

An Act enabling the department of procurement of cities of the first class to establish by resolution the requirements of responsible bidders for city printing.

Referred to the Committee on Cities—Counties First Class.

By Mr. LIMPER. HOUSE BILL No. 1820.

An Act enabling county commissioners of counties of the first class to establish by resolution the requirements of responsible bidders for county printing.

Referred to the Committee on Cities—Counties First Class.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. DAVIS, GRAMLICH, MAGEE and KENT.

(Concurent) RESOLUTION No. 116.

In the House of Representatives, September 27, 1955.

Large areas in northwestern Pennsylvania continue undeveloped, generally marked by low population and a feeble, struggling economy. In many localities, their economies are limited to fishing, hunting and vacation-land activities.

Nevertheless, there exist in this northwestern region vast potentialities for commercial and industrial growth; a growth that is increasingly needed if this Commonwealth is to regain some of the dynamic quality of earlier expansion.

Such expansion is keyed to main-line, low-rated transportation service; and implicit in the coming operation of the St. Lawrence Waterway system, lies the means for bringing main-line, low-rated transportation to northwestern Pennsylvania.

The upper reaches of the Allegheny River flow close to the Great Lakes system, a system destined to become an American freshwater Mediterranean. Clearly, more than one of Lake Erie's ports will progress to the stature of trans-oceanic steamship terminals.

Logically then, to link the far-flung and industrially advanced inland waterway of the Allegheny and its connecting waters with the coming Lake Erie coastal expansion would add immeasurably to the welfare of both Nation and Commonwealth. Precedents all through history indicate that the resulting heavy flow of water-borne traffic would bring mounting industrial and commercial growth to the Upper Allegheny and its watershed; therefore be it

Resolved (the Senate concuring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact into legislation the measures necessary to connect Lake Erie with the Upper Allegheny River by canal, and to extend the existing lock system along the Allegheny to the river terminus of the canal; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 699.

An Act amending the act of June 24 1937 (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of certain persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" relieving children of liability for support of parents deserting them during minority.

HOUSE BILL No. 1553.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-five and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-five.

Whereas Under the Constitution and the laws of this Commonwealth the State Treasurer may not pay out any moneys unless they be specifically appropriated by Act of the General Assembly therefore

HOUSE BILL No. 1652.

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

RECALLING SENATE BILL No. 117 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 27, 1955.

Resolved (if the House of Representatives concur), that Senate Bill No. 117, Printer's No. 23, entitled "An Act amending the act of May 2 1929 (P L 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' authorizing collection of data concerning deceased veterans of armed conflicts authorizing the erection of monuments for and giving retirement benefits to veterans of armed conflicts," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concured in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RECALLING SENATE BILL No. 593 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 23, 1955.

Resolved (if the House of Representatives concur) that Senate Bill No. 593, Printer's No. 218, entitled "An act amending the act of May 28, 1915 (P. L. 596) entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions' extending the benefits to employes of certain authorities created jointly with other political subdivisions or joined in by the cities and authorizing credit for past service on making back payments," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RECALLING SENATE BILL No. 595 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 23, 1955.

Resolved (if the House of Representatives concur) that Senate Bill No. 595, Printer's No. 219, entitled "An act amending the act of March 7, 1901 (P. L. 20) entitled 'An act for the government of cities of the second class' authorizing cities to regulate or prohibit the construction building or maintenance of certain fences made in whole or in part of wire with barbs," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 121.

An Act amending the act of March ten one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing the leasing of school buildings and athletic fields to organizations or groups for athletic purposes.

HOUSE BILL No. 699.

An Act amending the act of June 24, 1937 (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of certain persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" relieving children of liability for support of parents deserting them during minority.

HOUSE BILL No. 1553.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-five and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five.

HOUSE BILL No. 1652.

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

SENATE BILL No. 267.

An Act amending the act of June 24, 1939 (P. L. 746), entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons, and validating the acquittances of such minors and validating the acquittances of either person in a joint account, under certain conditions; and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee," further outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee.

SENATE BILL No. 277.

An Act amending the act of June 24 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor district and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulatng the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" further providing for the administration of the fiscal affairs of the county institution districts in counties of the third to eighth classes regulating the making of contracts and purchases authorizing such districts to take by gift grant devise or bequest money and property and conferring powers and imposing duties on county commissioners county treasurers county controllers and county auditors.

SENATE BILL No. 456.

An Act amending the act of May 2, 1945 (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," conferring exclusive jurisdiction on certain courts over service.

SENATE BILL No. 459.

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment, and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," clarifying the provisions of the act as to the aggregate amount of taxes any political subdivision may levy, during a fiscal year, and extending certain temporary provisions relative thereto; providing for the publication of notices concerning certain tax ordinances and resolutions; and permitting the imposition of taxes free from certain restrictions prescribed by existing laws.

SENATE BILL No. 508.

An Act amending the act of June 23 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" requiring directors of departments to prepare and submit quarterly reports to the Director of the Department of Accounts and Finance.

SENATE BILL No. 603.

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "An act creating in each county (except of the

first class) as a seperate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the Sate Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers. guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," authorizing the sale of surplus farm products and other personal property.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

APPOINTMENT OF COMMITTEE ON MEMORIAL SERVICES

The SPEAKER. Pursuant to the provisions of a resolution adopted by the House of Representatives September 26, 1955, for a Select Committee to conduct memorial services in memory of deceased members, the Speaker appoints Messrs. Stank, Kolankiewicz, Sarraf, Wood and Breisch.

APPOINTMENT OF COMMITTEE ON DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

The SPEAKER. Pursuant to a provision of House Resolution 106, Printer's No. 794, adopted by the House of Representatives on July 27, 1955, the Speaker appoints the following House Members as Members of the Select Committee to study the administration and operation of the Delaware River Joint Toll Bridge Commisison: Messrs. Yetter, Brennan and Metz.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. POLASKI asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. AMARANDO asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

SENATE MESSAGE

AMENDED SENATE RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Resolution Serial No. 113, Printer's No. 260 as follows:

In the Senate, March 1, 1955.

The Pennsylvania Training School at Morganza is purportedly reminiscent of ancient and generally outmoded practices in its treatment of female prisoners

Recent reports from reputable sources state that the girls at Morganza are confined in cells with inadequate heating clothing food and no toilet facilities Conditions such as these are certainly not in furtherance of the new and enlightened concepts of training school techniques which our Commonwealth has adopted and therefore it appears an investigation is necessary to ascertain the truth of these reports and to determine how these conditions can be best remedied

These charges cast reflections upon the integrity of all public officials and must create serious doubts and grave apprehensions among the people concerning the good conduct of our government An immediate impartial vestigation of these charges is necessary in order to remedy these conditions if true or to protect the good name of public officials and institutions if false

In order to aid in the development of the program of this administration in cooperation with and approved by the Department of Welfare for the enlightened treatment cure and rehabilitation of these unfortunate patients therefore be it

Resolved (if the House of Representatives concurs) that in the interest of fair play the President Pro Tempore of the Senate appoint six members of the Senate three of whom shall be Republicans and three Democrats and the Speaker of the House of Representatives appoint six members of the House three of whom shall be Republicans and three Democrats who together shall constitute a Joint Commission and be authorized and directed to make an immediate investigation of all the charges made and to hear all suggestions of an enlightened and progressive program for the proper operation of this institution

The Committee shall have the power to issue Subpoenas under its hand and seal requiring and commanding any person or persons to appear before them and answer questions touching matters properly being inquired into and to produce such books papers records and documents as the committee may deem necessary Such Subpoenas shall have the force and effect of Subpoenas issued out of the Courts of this Commonwealth The committee shall have the power to administer oaths and affirmations to witnesses appearing before them Any person who shall willfully neglect or refuse to testify before the committee or to produce books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases and be it further resolved that the committee make a report of its findings together with its recommendations for appropriate legislation at the earliest possible date before the adjournment of this session of the General Assembly

and has appointed Messrs. PECHAN, FLEMING, SCOTT, HOLLAND, HALUSKA and LANE a committee on the part of the Senate in accordance with the provisions of the resolution.

The SPEAKER. The Clerk of the Senate informs the House that the Senate has concurred in the amendments made by the House to Senate Resolution 113, Printer's No. 260, and has appointed the Members of the Senate provided for in the resolution.

It has also come to the attention of the Chair that the Presiding Officer in the other Chamber has named a Member of the other Chamber as Chairman of this particular Committee. This arrangement is unacceptable. The Chair will not appoint the Members of this particular Committee until the matter has been arranged and it is understood that the Committee itself names its own Chairman.

STUDENTS OF MECHANICSBURG JOINT HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Mechanicsburg Joint High School of Cumberland County who are here under the supervision of their teachers, Messrs. Denton and Hoffman. They are the guests of the gentleman from Cumberland, Mr. George.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

HIGHWAY PROGRAM

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

Each member of the General Assembly shares with me, I am sure, the knowledge that the demands and pressures against our highway system are constantly increasing with the growth of population and automobile usage, and the conviction that we must act now so that our Commonwealth is prepared to go forward in maintaining and developing the best highway system in the Nation.

Every driver can see that traffic is increasing faster than our capacity to handle it on our streets and highways.

The National character of the problem has been recognized in the Federal establishment, and it is a virtual certainty that the next session of Congress will act to accelerate the vast program of highway construction which the Country needs.

In Pennsylvania, there are more than 100,000 miles of public roads and streets.

The State highways are 41,100 miles long—a ribbon of road which, if in one continuous band, would go more than one and one-half times around the world.

City streets in Pennsylvania extend for 5,883 miles.

Borough streets are 6,050 miles.

There are 765 miles of county roads; 2,263 miles of first class township roads; and 44,978 miles of second class township roads.

It is a matter of interest that Pennsylvania's State highway mileage is greater than the combined state highway mileage in the six New England states, New York, New Jersey, Delaware and Maryland. Far more than in other states, our Commonwealth has assumed the responsibility for a truly State-wide highway system. But it is also true that a very heavy traffic is carried on streets and roads which remain as local responsibilities.

It becomes our duty therefore to shape a highway program for Pennsylvania with three objectives in mind. These are:

1. To increase the participation of local governments in the return from the motor vehicle licenses and liquid fuels taxes so that they may better meet their responsibilities for purely local traffic.

2. To prepare Pennsylvania for participation in any augmented program of Federal highway assistance which may be enacted at the next session of Congress. Any Federal program will almost certainly be restricted to the Interstate, Primary, and Secondary systems as they are presently classified for Federal aid.

3. To permit proper maintenance and moderniaztion of the 20,476 miles of State highway which are a 100 per cent responsibility of the Commonwealth, and which are not included in any program of Federal assistance yet proposed.

We are all of course aware that the Constitution of Pennsylvania provides that all funds collected from motor vehicle and operator's licenses and from liquid fuels taxes must be used for highway purposes, except for the comparatively small amount of tax revenue derived from the sale of aviation gasoline.

The highways revenues are thus "untouchable" for the general purposes of the State. The budget for the State's highways program, the distribution of funds under it, and the revenue measures levied to support it are therefore completely outside of the area of disagreement which has unfortunately developed between the Chambers and between the political parties.

It is my earnest hope that the highways program can therefore be considered entirely outside that area of dispute, and that we can quickly agree upon both needs and methods of financing.

Since I submitted my budget message on April 19, 1955, events themselves have altered our situation.

The Legislature has enacted a one cent increase in the tax on gasoline to provide for the rehabilitation and reconstruction of the State highways and local streets and roads in the areas affected by the flood disasters of late August.

The Legislature also enacted, as a part of legislation revising weight limits for trucks, a series of increased charges for the licenses of such trucks.

We do not, therefore, now ask for any further increase in the liquid fuels tax, nor for additional increases in the licenses for trucks in the categories already raised.

As recommended in the budget message, it is still necessary to raise the license fee for passenger vehicles from $10 to $15, and also to raise the schedule of license fees for light trucks in the "R", "S", and "T" classifications.

These changes would increase the revenues of the Motor License Fund by approximately $17,000,000 annually. Legislation to accomplish the changes has been prepared, and will be introduced as a part of the highway program.

The $10 fee for pasenger cars was fixed in 1943, when the price of an automobile in the low-priced field averaged $816. The average price of the same type car now sells for $2031, reflecting the increased costs and the changing dollar value which justify the license fee revision.

Many other states have already revised their charges in keeping with present day highway costs and needs.

Legislation will be presented to provide a permanent allocation from the liquid fuels tax to the local communities in Pennsylvania for the upkeep of their streets and roads. Previous allocations have been made at each session, without any assurance to the communities of their degree of State assistance from year to year. We now propose to make them full partners in the work of maintaining the traffic arteries of Pennsylvania, with a recognized degree of both responsibility and participation.

Under long-standing legislation, the counties have been receiving one-half cent of each five cents that the State collected on a gallon of gasoline. Under the legislation now proposed, the county share will continue but the municipalities will be allocated 20 per cent of the State's gasoline tax collections, less the one-half cent reserved for the counties and the one cent already allocated for flood area reconstruition. In addition, during the next biennium, any yield from the special flood area gasoline

tax in excess of $45,000,000 specifically allocated will be distributed to the municipalities.

In all, the municipalities should receive about $60,000,000 in the biennium from the State's collection of the liquid fuels tax. This is an increase of $24,000,000.

It is further proposed that the allocation of funds to the municipalities be made on a basis of 55 per cent on road mileage and 45 per cent on population, instead of the 60-40 ratio used in the past. This recognizes the high cost of urban street construction and maintenance, but with due consideration for the special problems of thinly populated rural townships.

So that the State will be prepared to take full advantage of more favorable Federal highways legislation, it is proposed that increased borrowing capacity be granted the State Highways and Bridge Authority to the full limit of the increase in matching funds required under the conditions of the Federal assistance. No general increase in the Authority's borrowing power is sought, and no specific sum will be named. The increase will be conditional on Federal action, and in the amount that such action makes necessary.

In the 1953-55 biennium, the State's matching funds totalled $52.000,000. Only in the event that the matching funds required in the current biennium exceed that amount would the Authority's borrowing capacity be raised.

There is, however, an exception. The Authority would be empowered to issue bonds for the costs of such projects as may be specifically authorized by the General Assembly, provided that the Secretary of Highways certifies as to their cost and their necessity.

The increased revenues provided for highways use and the Highway and Bridge Authority's conditional power will be the implements by which the State may meet its third most pressing highways obligation—the maintenance and improvement of the 20,000 miles of State highway which are not eligible for Federal aid.

This mileage has been the neglected area in the State highways program. The compulsion of matching funds to obtain Federal grants, increasing costs for simple maintenance and the distribution of funds to the counties and municipalities, have for many years put an increasing "squeeze" on this portion of the highways system.

We now propose a rounded, balanced program which will make a reasonable allocation of State highways funds to the wholly State-supported roads. Under the legislative and fiscal program which is now advocated, that can and will be done.

It can hardly be necessary to emphasize the importance of the State's highway system to its economy, to its living standards, and to the desires of its people. There can be no argument as to the need; no phase of our public work has more nearly unanimous support.

In my judgment, the program now suggested has been carefully worked out, and is a reasonable approach to our problems. I strongly urge the General Assembly to give it prompt and favorable consideration.

GEORGE M. LEADER, Governor

REPORTS FROM COMMITTEE

Mr. FARABAUGH from the Committee on Agriculture and Dairy Industries reported as committed, House Bill No. 69, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," regulating the display of meat packaged with transparent material.

Mr. WARGO from the Committee on Law and Order, reported as committed, House Bill No. 145, entitled:

An Act prohibiting the sale, transfer, purchase, ownership, possession and use of tear and noxious gas and tear gas guns; providing for certain exemptions; and providing penalties.

Mr. FRANK from the Committee on State Government, reported as committed, House Bill No. 381, entitled:

An Act prescribing certain rights of employment and reemployment for members of the General Assembly.

Mr. GRANVILLE E. JONES from the Committee on State Government, reported as committed, House Bill No. 920, entitled:

An Act amending the act of June 27, 1923 (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," permitting certain contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class.

Mr. MAXWELL from the Committee on Child Care, reported as committed, House Bill No. 1452, entitled:

An Act relating to comic books, magazines and other publications; prohibiting and regulating the sale thereof in certain instances; and imposing penalties.

Mr. NEEDHAM from the Committee on Military Affairs reported as committed, House Bill No. 1693, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," further regulating membership of the State Veterans' Commission.

Mr. SCARCELLI from the Committee on Law and Order reported as committed, House Bill No. 1718, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative

work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by making further provisions relating to a quorum and the duties of deputies of the State Athletic Commission.

Mr. PURSLEY from the Committee on Counties, reported as committed, House Bill No. 1750, entitled:

An Act amending the act of August 9, 1955 (P. L. , Act No. 130), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eight classes; amending, revising, consolidating and changing the laws relating thereto," providing for appeals to courts of common pleas from the decisions of salary boards.

Mr. MATT S. ANDERSON from the Committee on Motor Vehicles, reported as amended, House Bill No. 1769, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," requiring informations charging violations of summary provisions of the act in cities of the first class to be brought before centrally located traffic courts designated by the chief magistrate and authorizing cities of the first class to fix penalties and fines by ordinances.

Mr. BARNATOVICH from the Committee on Fisheries, reported as committed, House Bill No. 1784, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by permitting aliens to obtain licenses to fish.

Mr. THOMAS H. W. JONES from the Committee on Judiciary, reported as amended, House Bill No. 1792, entitled:

An Act relating to comic books, magazines and other publications; prohibiting and regulating the sale thereof in certain instances and imposing penalties.

Mr. HELM from the Committee on Education, reported as committed, Senate Bill No. 190, entitled.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further regulating the employment of teachers who are related to members of the board of school directors.

Mr. MATT S. ANDERSON from the Committee on Education, reported as committed, Senate Bill No. 218, entitled:

An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by providing for the method of valuation of taxable shares of stock in any regulated investment company.

THIRD BIENNIAL REPORT OF THE PENNSYLVANIA COMMISSION ON INTERSTATE COOPERATION

Mr. NORMAN WOOD offered a communication from, and the Third Biennial Report of the Pennsylvania Commission on Interstate Cooperation which was read by the Clerk as follows:

Commonwealth of Pennsylvania
COMMISSION ON INTERSTATE COOPERATION
Harrisburg, Pa.

September 27, 1955.

To the Honorable, the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Pennsylvania Commission of Interstate Cooperation, I have the honor to transmit herewith the Third Biennial Report of the Pennsylvania Commission on Interstate Cooperation, Session of 1955, for the calendar years 1953 and 1954.

Copies of this report for distribution to the Members of the House of Representatives have been delivered to the office of the Chief Clerk of the House.

Respectfully submitted,

(Signed) NORMAN WOOD, Chairman.

The SPEAKER. The receipt of the Report will be noted in the Journal.

DEMOCRATIC CAUCUS

Mr. READINGER. Mr. Speaker, I desire to call a meeting of the Democratic Members of the House and hold a caucus for the next 45 minutes in the New House Caucus Room.

REPUBLICAN CAUCUS

Mr. JOHNSON. Mr. Speaker, I would like to announce there will also be a Republican Caucus immediately in the Old House Caucus Room.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for forty-five minutes. The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 286, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act confering powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" establishing special speed restrictions for business and residence districts in cities of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1263, entitled:

An Act authorizing for the establishment of fireman pension pension funds or pension annuities in boroughs towns and townships and the regulation and maintenance thereof providing for continuance of existing funds or transfer thereof to funds herein established and prescribing rights of beneficiaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1722, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employers' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporations association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating changes of places of business and establishment of branches.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1737, entitled:

An Act amending the act of May 5 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" regulating the establishment of places of business and changes in the places of business and the establishment and maintenance of branches.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1747, entitled:

An Act to further amend clause (a) of section five hundred ten of the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act confering powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making an editorial correction and changing the time for beginning use of registration plates for certain vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1749, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of ve-

hicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" requiring the submission of a certain certificate by certain applicants requiring admission or release reports on certain persons by certain superintendents or medical directors or other competent authorities and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1763, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" extending the time for payment on purchases of borough property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1779, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by continuing the provisions of that section in effect for a further period.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1785, entitled:

An Act to further amend section one of the act approved the eighth day of June one thousand nine hundred twenty-three (P. L. 685) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" by further regulating the fees to be charged and collected.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1790, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately one thousand two hundred sixty-six acres of land in the Township of Colbaugh County of Monroe Pennsylvania known as Tobyhanna Signal Depot and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1794, entitled:

An Act amending the act of September 26 1951 (P. L. 1536) entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged conferring certain powers and duties upon the Department of Welfare imposing license fees and providing penalties" further providing for refusal to grant refusal to renew and revocation of licenses changing definition of commercial boarding homes and changing license fees and penalty provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 121, entitled:

An Act requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation recreation dams and flood control authorizing the Secretary of Forests and Waters to determine the need for and location of such projects and to acquire the necessary land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 531, entitled:

An Act amending the act of May 3, 1909 (P. L. 413), entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land, the price to be paid for the same, the conveyance to the State Forestry Reservation Commission, where desirable for forest culture or forest preservation, preventing the granting of warrants for the beds of navigable rivers, and providing for acceptance of returns of surveys without limitation as to excess or surplus," providing for and regulating the granting of easements in, across and under the beds of navigable rivers for sewer lines and other facilities of sewage treatment systems.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 643, entitled:

An Act amending the act of June 24 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting budget planning business and prescribing penalties for violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

APPROPRIATION BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 803, entitled:

An Act creating an Anthracite Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to anthracite coal mines and the preparation of a modern code relating thereto and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1027, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire two acres of land more or less in the Borough of Danville Montour County Pennsylvania for use of Danville State Hospital and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1028, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land in the Borough of Riverside Northumberland County Pennsylvania for use of Danville State Hospital and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1035, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land in the City of Nanticoke Luzerne County for the use of Nanticoke State Hospital and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1036, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire .326 of an acre more or less of land in Newport Township Luzerne County for the use of Retreat State Hospital and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1113, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departmentments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for the establishment by the Department of Property and Supplies of standards for the design construction repair alteration equipping and furnishing of buildings owned or to be constructed or subsidized by or for the Commonwealth and the material used therein repealing inconsistent legislation directing the Department of Property and Supplies to make a report to the next General Assembly and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1150, entitled:

An Act amending the act of June 27, 1923 (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" defining employes of the Pennsylvania Tunnel Commission as State employes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1209, entitled:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry prescribing penalties and making an appropriation.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 2, page 2, lines 10 to 13, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The third to tenth inclusive sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1566, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" regulating the acceptance of non-resident school children.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1567, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for payments on account of nonresident pupil transportation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1579, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for pupil transportation in institutions and providing for reimbursements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a tract of land with buildings thereon in the Borough of Indiana Indiana County Pennsylvania for the use of the Indiana State Teachers College and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1615, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a tract of land with buildings thereon in the Township of White Indiana County Pennsylvania containing 7.486 acres more or less for the use of the Indiana State Teachers' College and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1616, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a tract of land in the Borough of Indiana Indiana County Pennsylvania containing 2.5 acres more or less for the use of the Indiana State Teachers College and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1692, entitled:

An Act directing the Legislative Reference Bureau to compile and publish a revised compilation of laws relating to war veterans and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1723, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that State policemen assigned to duty with the Pennsylvania Turnpike Commission shall not be counted against the total number of officers and men in the State Police Force

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1780, entitled:

An Act making an appropriation to the Insurance Commissioner as Statutory Liquidator to enable him to liquidate dissolved insurance companies associations and exchanges which have insufficient assets for such liquidation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1787, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the establishment of a professorship in the School of Medicine.

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 1, page 2, line 2 by striking out "in honor of" and inserting in lieu thereof: "to be known as the Commonwealth Professorship of Preventive Medicine and to be filled by."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 514:

An Act amending the act of May 17, 1917 (P L 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drugs" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" further providing for the suspension and revocation of registration by the State Board of Pharmacy.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1435.

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" further regulating streets in cities of the second class and the powers duties and obligations of such cities and the Commonwealth with regard thereto.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 510.

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating appropriations for maintenance and operation of recreation places.

SENATE BILL No. 514.

An Act amending the act of May 17, 1917 (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" further providong for the suspension and revocation of registration by the State Board of Pharmacy

Whereupon,

The SPEAKER, in the presence of the House, signed the same

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1339.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing for the terms of office of school directors of union and merged districts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend bill, page 3, by striking out all of line 3, as follows: "Section 2 Section 312 of the act is repealed."

On the question,

Will the House concur in the amendments made by the Senate?

COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1522.

An Act amending the act of July 8, 1941 (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" changing the definition of "Average salary" the membership of the board and the options allowed upon retirement regulating the manner of paying money out of the retirement fund making provisions in certain cases retroactive for contributors who are qualified for but die before retirement and providing for voluntary retirement after twenty-five years service

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 7, by inserting after the word "retirement" the following: "regulating the manner of paying money out of the Retriment Fund; amend bill, page 4, by inserting after line 3, the following:

"Section 2 Section 7 of the act is amended to read

"Section 7 Custody of and payments from fund all moneys and securities in the fund created by this act shall be placed in the custody of the county treasurer for safekeeping and all payments from said fund [on account of retirement allowances] shall be made only on requisition signed by the chairman and secretary of the board."

Amend bill page 4, line 13 by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3"; page 6, line 12, by striking out after the word "section" the figure "14" and inserting in lieu thereof the figure "13."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boies,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki,	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Frost,			

NAYS—0

NOT VOTING—2

Keller,	McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1523.

An Act amending the act of August 5, 1941 (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" changing the definition of "Final Salary" the membership of the board and its method of accounting and making payments out of the retirement fund and the options allowed upon retirement authorizing the board to permit transfers to the one-eightieth (1/80) class of contribution and adjustment of county annuities allowing credit for prior service for certain per diem employes making provisions in certain cases retroactive for contributors who are qualified for but die before retirement authorizing the establishment of a minimum retirement allowance and providing for the reinstatement of contributors returning from military service

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, line 7, by inserting after the word "accounting" the following: "and making payments out of the retirement fund";

Amend Section 4, page 7, line 8, by striking out after the figure "4" the word "Section" and inserting in lieu thereof the following: "Sections 6 and 10"; line 9, by striking out after the figures "881" the word "is" and inserting in lieu thereof the word "are";

Amend the bill, page 7, by inserting after line 9, the following:

"Section 6 Custody of and payments from fund all moneys and securities in the fund created by this act shall be placed in the custody of the county treasurer for safekeeping and all payments from said fund [on ac-

count of retirement allowances] shall be made only on requisition signed by the chairman and secretary of the board."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Frost,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boies,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki,	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Gaffney,			

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1524.

An Act amending the act of June 4, 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" changing the definition of "final salary" the membership of the board the manner of paying money out of the retirement fund and the options allowed upon retirement authorizing the board to permit transfers to the one-eightieth (1/80) class of contribtuors and adjusting the county annuities allowing employes credit in certain cases for prior service making provisions in certain cases retroactive for contributors who are qualified for but die before retirement

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, line 5, by inserting after the word "board" the following: "the manner of paying money out of the retirement fund";

Amend the Bill, page 4, by inserting after line 18 the following:

"Section 4 Section 6 of the act is amended to read

"Section 6 Custody of and payments from fund all moneys and securities in the fund created by this act shall be placed in the custody of the county treasurer for safekeeping and all payments from said fund [on account of retirement allowances] shall be made only on requisition signed by the chairman and secretary of the board."

Amend the Bill, page 5, line 11, by striking out after the word "Section" the figure "4" and inserting in lieu thereof the figure "5";

Amend the Bill, page 6, line 11, by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figure "6";

Amend the Bill, page 8, line 9, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figure "7";

Amend the Bill, page 9, line 17, by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "8".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boies,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,

Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Frost,			

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. JOHNSON. Mr. Speaker, I move that House Bill No. 1078 Printer's No. 858 together with the communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1078.

An Act amnding the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing the use of school buildings as meeting places for governmental and quasi-governmental bodies agencies and authorities created by law

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 16, by striking out after the word "and" the word "shall" and inserting in lieu thereof the word "may".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Frost,	Lutty,	Royer,
Agnew,	Gaffney,	Magee,	Rubin,
Amarando,	Garlock,	Mahan,	Rudisill,
Anderson, M. S.,	Gelfand,	Markley,	Sarraf,
Anderson, S. A.,	George,	Maxwell,	Scarcelli,
Ashton,	Gibb,	McCann,	Schuster,
Auker,	Gibson,	McCormack,	Sherman,
Banker,	Goldstein,	McGee,	Sigman,
Barnatovich,	Gramlich,	McInroy,	Smith, C. C.,
Bazin,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bell,	Guss,	McWherter,	Snider,
Blair,	Guthrie,	Meholchick,	Spencer,
Boies,	Hamilton, R. K.,	Metz,	Stank,
Bonner,	Hamilton, W. H.,	Mihm,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Bullen,	Isaacs,	Murphy,	Thompson,
Capano,	Jenkins,	Murray, H. P.,	Toll,
Cianfrani,	Johnson,	Murray, J. J.,	Tompkins,
Cioffi,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cochran,	Jones, T. H. W.,	Musto,	Varallo,
Comer,	Jump,	Naugle,	Varner,
Connelly,	Kamyk,	Needham,	Vaughan,
Cooper,	Kehler,	Ogilvie,	Verona,
Curwood,	Kent,	Olsen,	Wall,
Davis,	Kline,	O'Neil,	Wallace,
Donahue,	Knecht,	Pacchioli,	Walsh,
Donaldson,	Kolankiewicz,	Parry,	Wargo,
Dougherty,	Kooker,	Pashley,	Waterhouse,
Down,	Kornick,	Paulhamus,	Weidner,
Ehrgood,	Kratz,	Petrosky,	Welsh,
Eilberg,	Kromer,	Pettigrew,	Wescott,
Erb,	Kubacki,	Polaski,	Wheeler,
Eshleman,	Lafore,	Polen,	Whitenight,
Ewing,	Lawyer,	Pomeroy,	Willaredt,
Farabaugh,	Leiby,	Price,	Williams,
Filo,	Leisey,	Pursley,	Wilt,
Fineman,	Leonard,	Readinger,	Wood,
Flint,	Leven,	Reibman,	Worley,
Floyd,	Light,	Reidenbach,	Yetter,
Flynn,	Limper,	Renwick,	Yetzer,
Foster,	Lippincott,	Rigby,	Young,
Frank,	Lopresti,	Rosen,	Ziegler,
Frascella,	Lovett,	Rovansek,	Andrews,
			Speaker

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a brief recess for the purpose of hearing the Boychoir of the Beechwood Public School who have been

invited to sing for us by the gentleman from Allegheny, Mr. Olsen. The Chair is sure that you will enjoy this brief interlude.

The Chair hears no objection and a recess is declared.

During the recess the Boychoir of Beechwood School consisting of thirty-seven boys in Grades through 5 and 8 entertained by the rendition of a number of songs.

The SPEAKER. On behalf of the Members of the House, the Chair wants to congratulate the Choir and its instructor Miss Geraldine Ruch. They were a fine sight to see, those little fellows, with the energy and the enthusiasm with which they sang. Their performance certainly is a tribute to their instructors.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

COMMITTEE APPOINTED ON PENNSYLVANIA TRAINING SCHOOL INVESTIGATION

The SPEAKER. The temporary misunderstanding with the other Chamber having been resolved, pursuant to the provisions of Senate Concurrent Resolution Serial No. 113 adopted by the Senate September 13, 1955, and concurred in by the House of Representatives, as amended September 21, 1955, the Speaker appoints as a committee on the part of the House of Representatives to investigate conditions and treatment practices at the Pennsylvania Training School at Morganza, Messrs. POLEN, FLYNN, WILLIAMS, VAUGHAN, WILT and TOMPKINS.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1560, entitled:

An Act to regulate the sale and distribution of commercial feeds in the Commonwealth of Pennsylvania conferring powers and imposing duties on the Department of Agriculture and prescribing penalties

The first, second, third and fourth sections were separately read and agreed to.

The fifth section was read.

On the question.

Will the House agree to the section?

Mr. ASHTON offered the following amendments:

Amend Sec. 5, page 6, line 18 by striking out "five cents ($.05)" and inserting in lieu thereof two ctnts ($.02)

Amend Sec. 5, page 7, line 6 by inserting after "Agriculture" and to be used solely

On the question,

Will the House agree to the amendments?

Mr. FARABAUGH. Mr. Speaker, this amendment which was just read is, as I hope you understand, an amendment to reduce the amount of the fee, which in the bill itself is a five cent tax on commercial feeds.

This money is needed by the Department of Agriculture to enforce the law in policing the feed business in order to give a guarantee to the purchaser of feed. It is very necessary to farmers and anyone else who purchases commercial feed. It is only a five cent fee per ton on feeds that cost anywhere from $80 to $100 a ton.

At the present time, and for some time past, that business has been neglected, and this money is very necessary for the Department of Agriculture to take care of its needs in the laboratory and in the field to enforce lawful, unadulterated feeds being sold so that the people who buy them know what they are getting.

I plead with you to oppose the amendment which cuts the fee below that amount. Under the bill the Secretary of Agriculture may reduce the amount if it is not needed for that work. It will not be used for any other purpose.

I plead with you it is necessary for a good work that is needed, and I ask you to oppose this amendment.

Mr. ASHTON. Mr. Speaker, on the question of these amendments, I do not agree with Mr. Farabaugh that the five cents a ton is necessary to finance this program of inspection.

My amendments propose a fee of two cents per ton. Under five cents a ton it would produce about $100 thousand a year; at two cents a ton it would produce about $40 thousand a year or $80 thousand per biennium.

My contention is that a whale of a lot of inspection can be done for $80 thousand. I believe last year under the inspection $35 thousand was spent. The registration fee in the old law produced $37,500. Under the new act, this Act 560, the registration fees would also bring in about $37,500.

This inspection fee, or tax if you want to call it that, which the farmers would pay would bring in at two cents an additional $40 thousand, at five cents an additional $100 thousand. I believe the figure of $40 thousand to be much more realistic than the figures of $100 thousand.

The provision that the Secretary of Agriculture can reduce the fee at his discretion should it provide too much money, I think is just nonsense, because I cannot imagine any Department reducing a fee because it produces too much money when the money is in that Department to spend.

It would be much more businesslike, Mr. Speaker, to reduce the fee and get in the $40 thousand. If that is not enough after a year's trial, the Department could always come back and ask this House for an increase in fees. As it stands, I think it is giving the Department too much money. Our rural constituents are perfectly willing, I am sure, to pay a reasonable fee for services rendered, but I am equally sure that there are very few of our rural constituents who are willing to pay $10 for a service which only costs four dollars to render.

I am asking the Members of this House to vote for these amendments.

Mr. FARABAUGH. I would just like to reply, Mr. Speaker, to what the gentleman has said about the amount of money it has cost previous to this time.

I made some inquiry about the amount of inspection that had been made. One large feed dealer who turns out a good many hundred tons of feed in a year informed me that in the past year there had been samples taken from their feed four times. If that is the amount of work which has been done, is has been very sadly neglected, and the work in the laboratory has been sadly neglected, whereas the people should be permitted to go in, and would if there were money sufficient to take care of it, and have samples tested themselves. If that has cost, as the gentleman has

said, in the neighborhood of $35 to $40 thousand in the past year, with the kind of job that has been done, it certainly is proof that the amount of money that five cents a ton would raise certainly is not going to hurt anybody and that it is needed to do the job as it should be done.

Mr. ASHTON. Mr. Speaker, as far as the five cent fee being so large as to hurt anybody, I doubt that it would hurt anybody in the dairy industry too much. In the chicken industry where the purchase of feed is much heavier, I believe it would hurt those farmers.

However large or however small the fee that the farmer would have to pay is purely an academic question.

I reiterate even though the farmer only pays $10 a year for this service, he will be unwilling to pay that when the service he gets is actually only costing four dollars.

Mr. YETTER. Mr. Speaker, I think the five cent fee per ton to enforce this law is a great bargain for the farmer, because it is very easy without any enforcement, or without proper enforcement, to let a small ingredient out of the feed, and it would make an awful lot more difference than the five cents that it is going to cost for the enforcement and the inspection of the feed.

I ask the Members to vote against the amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. READINGER and CAPANO and were as follows:

YEAS—82

Agnew,	George,	Kromer,	Rigby,
Ashton,	Gibb,	Lafore,	Royer,
Auker,	Goldstein,	Leisey,	Rubin,
Banker,	Gramlich,	Light,	Sigman,
Bell,	Hamilton, W. H.,	Magee,	Smith, C. C.,
Blair,	Haudenshield,	Mahan,	Steckel,
Bower,	Helm,	Markley,	Stevenson,
Breisch,	Henzel,	McInroy,	Stoner,
Brenninger,	Hewitt,	Metz,	Strausser,
Brown,	Hocker,	Mikula,	Thompson,
Bullen,	Horst,	Miller,	Tompkins,
Connelly,	Houk,	Moody,	Varner,
Cooper,	Johnson,	Moscrip,	Vaughan,
Davis,	Jones, T. H. W.,	Murphy,	Wall,
Donahue,	Jump,	Murray, H. P.,	Waterhouse,
Down,	Kehler,	Naugle,	Weidner,
Ehrgood,	Kent,	Ogilvie,	Wescott,
Erb,	Knecht,	Parry,	Willaredt,
Eshleman,	Kooker,	Price,	Wood,
Ewing,	Kratz,	Pursley,	Worley,
Frost,			Ziegler,

NAYS—106

Adam,	Garlock,	Meholchick,	Scarcelli,
Anderson, M. S.,	Gelfand,	Mihm,	Schuster,
Anderson, S. A.,	Guss,	Monroe,	Sherman,
Barnatovich,	Hamilton, R. K.,	Moran,	Smith, Wm. B.,
Bazin,	Hass,	Muldowney,	Snider,
Boles,	Heavey,	Mullen,	Stank,
Bonner,	Holt,	Munley,	Stebbins,
Boory,	Jenkins,	Murray, J. J.,	Stephens,
Brennan, A. P.,	Jones, G. E.,	Musto,	Stone,
Brennan, J. J.,	Kamyk,	Needham,	Swartz,
Breth,	Kolankiewicz,	O'Neil,	Taylor,
Bucchin,	Kornick,	Pacchioli,	Thomas,
Capano,	Kubacki,	Pashley,	Toll,
Cioffi,	Lawyer,	Paulhamus,	Toomey,
Comer,	Leiby,	Petrosky,	Varallo,
Curwood,	Leonard,	Pettigrew,	Verona,
Dougherty,	Leven,	Polaski,	Wallace,
Eilberg,	Limper,	Polen,	Walsh,
Farabaugh,	Lopresti,	Readinger,	Wargo,
Filo,	Lovett,	Reibman,	Welsh,
Fineman,	Lutty,	Reidenbach,	Wheeler,
Flint,	Maxwell,	Renwick,	Whitenight,
Floyd,	McCann,	Rosen,	Williams,
Flynn,	McCormack,	Rovansek,	Yetter,
Frank,	McGee,	Rudisill,	Yetzer,
Frascella,	McLaughlin,	Sarraf,	Andrews,
Gaffney,	McWherter,		Speaker

NOT VOTING—22

Amarando,	Gibson,	Lippincott,	Pomeroy,
Branca,	Greenwood,	McKeever,	Spencer,
Cianfrani,	Guthrie,	Mills,	Stroup,
Cochran,	Isaacs,	Murray, P. G.,	Wilt,
Donaldson,	Keller,	Olsen,	Young,
Foster,	Kline,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The sixth and tenth sections inclusive were separately read and agreed to.

The eleventh section was read.

On the question,

Will the House agree to the section?

Mr. FARABAUGH offered the following amendment:

Amend Sec. 11, page 13, line 7 by inserting after "offense" if three offenses, including the last offense, are committed within one year

It was agreed to.

The section was agreed to as amended.

The twelfth, thirteenth and fourteenth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 154, Printer's No. 976 and

House Bill No. 375, Printer's No. 912

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 554 entitled:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further defining real estate to be valued and assessed for taxation

On the question,

Will the House agree to the bill on final passage?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 555 entitled:

An Act to further amend the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by further defining real estate to be valued and assessed for taxation.

On the question,

Will the House agree to the bill on final passage

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study.

The motion was agreed to.

HOUSE BILLS NOS. 1060, 651, 1571, 501, 1101, 1268, 1413 AND 1618 MADE SPECIAL ORDERS

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1060 on page 16, House Bill 651 on page 21, House Bill 1571 on page 22, House Bill 501 on page 25, House Bill 1101 on page 27, House Bill 1268 on page 29, House Bill 1413 on page 30 and House Bill 1618 on page 31 be made a special order of business immediately in that order.

The motion was agreed to.

SPECIAL ORDER HOUSE BILL NO. 1060

The SPEAKER. The Chair lays before the House the first bill on special order.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1060, as follows:

An Act defining and providing for the licensing of water well drillers prevention of pollution of underground waters conferring powers and imposing duties on the Water and Power Resources Board of the Department of Forests and Waters and prescribing penalties

The General Assembly of the Commonmealth of Pennsylvania hereby enacts as follows

Section 1 Whereas the alarming increase in the use of the underground waters of the Commonwealth of Pennsylvania due to the growth in population and industrial development is constituting a threat to the water supply of the citizens of the Commonwealth

Therefore it is the policy of the General Assembly of the Commonwealth of Pennsylvania to assure an adequate supply of pure water for the people of this Commonwealth and to this end it is imperative that persons engaged in water well drilling and the Commonwealth closely cooperate to procure detailed information on ground water resources in order that the General Assembly and the proper State officials may take steps to assure and maintain the needed underground water supply

Section 2 Short Title This act shall be known and may be cited as the "Water Well Drillers License Act"

Section 3 Definitions The folloming words and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

(1) "Water well" shall mean any excavation that is drilled bored cored washed driven dug jetted or otherwise constructed when tne intended use of such excavation is for the location diversion or acquqisition of ground water Provided however That no excavation for the purposes of (a) obtaining or prospecting for oil natural gas minerals or products of mining or quarrying (b) inserting media to repressure oil or natural gas bearing formation storing petroleum or other materials shall be deemed a "water well" for the purpose of this act

(2) "Ground waters" shall mean waters of underground streams channels artesian basins reservoirs lakes and other occurrences of water in and under the ground whether percolating or otherwise

(3) "Drilling" shall mean all acts necessary to the constuction of wells such as drilling boring coring washing jetting driving and digging

(4) "Board" shall mean the Water and Power Resources Board of the Department of Forests and Waters

(5) "Water well driller" shall mean any water well contractor who has contracted for the drilling digging driving boring coring washing jetting constructing altering or repairing any water well and who has been licensed as such by the Board Provided that the term "water well driller" shall not be construed to include any farmer performing any function on any land owned or leased by him for farming purposes or any natural person drilling a well on land owned by him or of which he is a lessee and used by him as his residence

(6) "Person" shall mean a corporation partnership and association as well as a natural person

(7) "Well owner" shall mean any person who owns land used for any purpose on which a well has been drilled

Section 4 After the effective date of this act no person shall drill a water well within the Commonwealth except as hereinafter provided unless he has first secured from the Board a license issued in such form and subject to such regulations as the Board shall prescribe.

Section 5 (a) Owners of water wells shall maintain wells in accordance with the rules and regulations of the Board The owner of a well shall upon abandonment of any existing well notify the Board The Board shall notify the owner whether the Board will utilize the abandoned well for ground water studies and the Board may upon the payment of reasonable compensation utilize the abandoned well for ground water studies for such period of time as the Board deems advisable the Board may require the owner to seal effectively or fill any abandoned well in accordance with the rules and regulations of the Board

(b) No owner of a well shall use said well for the purpose of receiving wastes without permission in writing from the Board such permission to be conditional upon compliance with the requirements and rules and regulations prescribed by the Sanitary Water Board and the Department of Health

Section 6 Before any water well driller's license is issued to any person a verified application shall be made in writing to the Board on a form prepared and furnished by the Board Such application shall require a statement showing (1) the name of the applicant (2) the business address of the applicant (3) the residence of the applicant (4) such proof of experience or competence as the Board may require and such additional information as the Board may require An annual license fee of five dollars ($5.00) shall be paid by the applicant before a license is issued or renewed by the Board

Section 7 Every license issued under the security of this act shall expire on the thirty-first day of December next following the date of issue of such license

Section 8 The Board shall have the power to suspend or revoke the license of any water well driller if the same

was obtained through error or fraud or for failure to file the report required under section ten of this act or for fraudulent operations or technical incompetence Proceedings shall be conducted in accordance with the provisions of the Administrative Agency Law the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388)

The Board shall have the authority to grant new licenses to persons whose licenses have been revoked

Section 9 Every person licensed as a water well driller shall write his usual signature with pen and ink in the space provided for that purpose on the license issued to him immediately upon receipt of such card

The licensee shall have such license in his immediate possession at all times when engaged in drilling and the number thereof shall be conspicuously displayed on the water well drilling equipment

Section 10 Every water well driller shall file with the Board forty (40) days after the completion of the drilling of a water well a report upon a form to be supplied by the Board setting forth the exact geographic location and log of the well containing a description of materials penetrated the size and depth the diameters and lengths of casing and screen installed the static and pumping levels and the yield and such other information pertaining to the construction or operation of the well or wells as the Board may require but no licensed water well driller shall be required to furnish information as to coal deposits or other valuable minerals

The Board or any authorized representative shall have the power to make such inspection and require the taking of such samples as may be deemed necessary by the Board Such inspections and samples shall not materially increase the drilling costs

Section 11 (a) Any person who shall drill any water well without having a license issued under the authority of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00)

(b) Any water well driller who shall drill a well and shall not file a report with the Board within forty (40) days after the completion of said well as provided in this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of one hundred dollars ($100.00) for the use of the Commonwealth or in default of the payment thereof shall suffer ten (10) days' imprisonment

(c) Any water well driller who shall fail to have his license number conspicuously displayed upon the well drilling equipment when drilling a water well shall upon summary conviction be sentenced to pay a fine of five dollars ($5.00) and costs of prosecution

(d) Any owner who shall use or employ any well for the purpose of receiving waste without permission in writing from the Board or permit or abandon any existing well without effectively sealing or filling such well when required to do so by the Board shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed five hundred dollars ($500.00)

Section 12 The Board is hereby authorized empowered and directed to effectuate the provisions of this act and to adopt amend and rescind such rules and regulations as may be necessary to accomplish the purposes of this act

Section 13 If any part section subsection sentence clause or phrase in this act shall be held unconstitutional or invalid for any reason such invalidity shall not affect the validity of the remaining portions of the act

Section 14 The provisions of this act shall become effective on the second day of January one thousand nine hundred fifty-six

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gaffney,	Magee,	Royer,
Agnew,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Auker,	Goldstein,	McGee,	Sherman,
Banker,	Gramlich,	McInroy,	Sigman,
Barnatovich,	Greenwood,	McLaughlin,	Smith, C. O.,
Bazin,	Guss,	McWherter,	Smith, Wm. B.,
Bell,	Guthrie,	Meholchick,	Snider,
Blair,	Hamilton, R. K.,	Metz,	Spencer,
Boies,	Hamilton, W. H.,	Mihm,	Stank,
Bonner,	Hass,	Mikula,	Stebbins,
Boory,	Haudenshield,	Miller,	Steckel,
Bower,	Heavey,	Mills,	Stephens,
Branca,	Helm,	Monroe,	Stevenson,
Breisch,	Henzel,	Moody,	Stone,
Brennan, A. P.,	Hewitt,	Moran,	Stoner,
Brennan, J. J.,	Hocker,	Moscrip,	Strausser,
Brenninger,	Holt,	Muldowney,	Stroup,
Breth,	Horst,	Mullen,	Swartz,
Brown,	Houk,	Munley,	Taylor,
Bucchin,	Isaacs,	Murphy,	Thomas,
Bullen,	Jenkins,	Murray, H. P.,	Thompson,
Capano,	Johnson,	Murray, J. J.,	Toll,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Tompkins,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Weish,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Williams,
Ewing,	Leiby,	Price,	Willaredt,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,		Speaker

NAYS—2

Frost,	Toomey,

NOT VOTING—2

Keller,	McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER HOUSE BILL NO. 651

The SPEAKER. The Chair lays before the House the next bill on special order fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 651, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board

Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by defining "resident" and further regulating eligibility for assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and dispurse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Board of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-second day of August one thousand nine hundred fifty-three (P. L. 1361) are hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to provide for themselves and their dependents a decent and healthful standard of living and for indigent homeless or transient persons The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided to persons entitled under this act to assistance other than dependent children aged persons blind persons and disabled persons

"Local Board" means any county board of assistance established under the provisions of this act

"Resident" means a person residing in Pennsylvania at the time of application who also (1) is proved to have resided in Pennsylvania for a period of twelve consecutive months within the five years immediately preceding the date of making application for assistance provided that absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt the period of living in Pennsylvania or (2) is proved to have last resided in a state which by law regulation or reciprocal agreement with Pennsylvania grants public assistance to a person who has lived therein for less than one year or (3) is a minor unemancipated child or an incompetent adult residing with a mother father or other person who is a resident as defined herein and who is providing care and has custody and control or (4) a married woman whose husband is a resident as defined herein except that any indigent person who is not a resident of Pennsylvania as defined herein may be granted assistance to enable him to return to the state of his residence or settlement or to go to the state where he can obtain means of support and for a period not to exceed one month while his residence settlement or possible means of support are being verified as a basis for his plans to leave Pennsylvania

The masculine pronoun includes the feminine

Section 9 Eligibility for Assistance [Any person residing within this Commonwealth shall hereafter be entitled to receive public assistance as provided by law without regard to the period of time he or she has resided therein and the Department of Public Assistance shall grant assistance without regard to the period of time any person seeking public assistance and otherwise entitled thereto shall have resided within this State Provided however That if the applicant for public assistance has resided in Pennsylvania for less than one year immediately preceding the date of making application for assistance such person shall only be entitled to receive public assistance if he or she was last a resident of a state which by law regulation or reciprocal agreement with Pennsylvania grants public assistance to a person who has resided therein for less than one year A child less than one year of age is considered as deriving residence from either (1) a parent or (2) other relative with whom he is living as provided in this section] Except as hereinafter specifically otherwise provided in the case of pensions for the blind all [persons] residents of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent [Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the Commonwealth if a domicile has not been acquired outside the Commonwealth]

(a) Dependent Children A dependent child is defined as any needy child under the age of sixteen or under the age of eighteen if found to be regularly attending school who has been deprived of parental support or care by reason of the death continued absence from the home or physical or mental incapacity of a parent and who is living with his father mother grandfather grandmother brother sister stepfather stepmother stepbrother stepsister uncle or aunt in a place of residence maintained by one or more of such relatives as his or their own home Any one such relative who is in need of asistance to provide a decent and healthful standard of living for himself and the dependent child or children maintained in his home and who is not receiving any other assistance under the provisions of this act shall be eligible for assistance under this subsection provided such relative meets the requirements of the first paragraph of this section

[So long as required as a condition of Federal participation assistance shall not be denied a child less than one year of age if the parent or other relative with whom the child is living has resided in the Commonwealth for one year immediately preceding the child's birth]

(b) Aged Persons An aged person is defined as one who (1) is sixty-five years of age or more (2) is not at the time of receiving assistance an inmate of a public institution and (3) has not conveyed or transferred his real or personal property of the value of five hundred dollars ($500.00) or upwards without fair consideration within two years preceding the date of making such application

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-sixtieth or ten two-hundredths or less normal vision (3) is not receiving any other assistance during the period for which he is receiving assistance as a blind person (4) is not an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be fifty dollars ($50) per month Provided That any blind person with an actual income of one thousand seven hundred sixteen dollars ($1716) or upwards and any blind person having (1) real property with an assessed valuation of over five thousand dollars ($5000) or (2) personal property with an actual value of over five thousand dollars ($5000) or (3) a combination of real and personal property with a total valuation of over five thousand dollars ($5000) the valuation of the real property to be determined by its assessed valuation the valuation of the personal property to be determined by its actual value is not entitled to such pension The interest of a blind person in any property owned by the entireties shall be deemed to be a one-

half interest And provided further That where a blind person has an income of less than one thousand seven hundred sixteen dollars ($1716) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed one thousand seven hundred ($1716) a year No person shall be denied a pension because of the fact that he or she is not a citizen of the United States In the event that any act of Conrgess providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to non-citizens but such person shall receive pensions out of the moneys appropriated by this Commonwealth

(c 1) Disabled Persons A disabled person is defined as one who (1) is between the ages of eighteen and sixty-four inclusive (2) is permanently and totally disabled and (3) is not at the time of receiving assistance an inmate of a public institution

(c 2) Any children who at the time they are receiving assistance are at the direction of the court removed from the home of their parents and placed in foster homes or children's homes maintained by a county institution district

(d) Other persons who are citizens of the United States and all aliens who have within two years previous to the first day of January one thousand nine hundred and forty filed their declaration of intention to become a citizen and who are not inmates of a public institution at the time of receiving assistance.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHNSON. Mr. Speaker, I desire to interrogate the Chairman of the Appropriations Committee, Mr. Polen.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, consent to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, when this bill was on the calendar some time ago, it was contended that in changing or redefining the word "resident" and providing for the other rules of eligibility for public assistance it would increase the cost of public assistance.

I believe the bill was sent back to the gentleman's Committee for that study to determine whether there should be an additional appropriation made, with a further question that if it does cost more money, is it in the present appropriation for public assistance?

Mr. POLEN. That is correct.

Mr. JOHNSON. Mr. Speaker, I realize that was rather a double barreled question. May I rephrase the question for further interrogation of Mr. Polen?

After the gentleman has studied the bill, will it cost the Commonwealth any more money by reason of redefining eligibility?

Mr. POLEN. Mr. Speaker, it will not. In fact it is anticipated that it might cause a slight decrease.

Mr. JOHNSON. Mr. Speaker. will the gentleman please explain to the House why it is anticipated that it might reduce the cost of public assistance?

Mr. POLEN. If the gentleman desires, I shall read the letter from the Secretary of Public Assistance, which gives her comment and her reasons why. I will briefly state her final statement on the bill.

> This bill relates to resident requirements as a condition of eligibility for public assistance and is primarily a clarification of existing laws as interpreted by the Attorney General.
>
> I feel that I am conservative when I say that the net cost of the provisions of this bill is zero and there is some reason for believing that there may actually be a slight savings to the Commonwealth in view of the features, on which I have commented last.

Mr. JOHNSON. I Thank the gentleman. That is the information we wanted. We want it in the record two years from now when if public assistance goes way up we would rather you did not say that if we had not changed the eligibility in this bill we would not have had the increase.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Gaffney,	Lutty,	Royer,
Agnew,	**Garlock,**	Magee,	**Rubin,**
Amarando,	Gelfand,	Mahan,	Rudisill,
Anderson, M. S.,	**George,**	Markley,	Sarraf,
Anderson, S. A.,	Gibb,	Maxwell,	Scarcelli,
Auker,	Gibson,	McCann,	Schuster,
Banker,	Goldstein,	McCormack,	Sherman,
Barnatovich,	Gramlich,	**McGee,**	Sigman,
Bazin,	Greenwood,	McInroy,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Spencer,
Bonner,	Hamilton, W. H.,	Metz,	Stank,
Boory,	Hass,	Mihm,	Stebbins,
Bower,	Haudenshield,	Mikula,	Steckel,
Branca,	Heavey,	Miller,	Stephens,
Breisch,	Helm,	Mills,	Stevenson,
Brennan, A. P.,	Henzel,	Monroe,	Stone,
Brennan, J. J.,	Hewitt,	Moody,	Stoner,
Brenninger,	Hocker,	Moran,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Bullen,	Isaacs,	Murphy,	Thompson,
Capano,	Jenkins,	Murray, H. P.,	Toll,
Cianfrani,	Johnson,	Murray, J. J.,	Toomey,
Cioffi,	Jones, G. E.,	Murray, P. G.,	Varallo,
Cochran,	Jones, T. H. W.,	Musto,	Varner,
Comer,	Jump,	Naugle,	Vaughan,
Connelly,	Kamyk,	Needham,	Verona,
Cooper,	Kehler,	Ogilvie,	Wall,
Curwood,	Kent,	Olsen,	Wallace,
Donahue,	**Kline,**	O'Neil,	Walsh,
Donaldson,	Knecht,	Pacchioli,	Wargo,
Dougherty,	Kolankiewicz,	Parry,	Waterhouse,
Down,	Kornick,	Pashley,	Weidner,
Ellberg,	Kratz,	Paulhamus,	**Welsh,**
Erb,	Kromer,	Petrosky,	Wescott,
Eshleman,	Kubacki,	Pettigrew,	Wheeler,
Ewing,	Lafore,	Polaski,	Whitenight,
Farabaugh,	Lawyer,	**Polen,**	Willaredt,
Filo,	Leiby,	Pomeroy,	Williams,
Fineman,	Leisey,	Price,	Wilt,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews,
			Speaker

NAY—8

Ashton,	Ehrgood,	Moscrip,	Strausser,
Davis,	Kooker,	Pursley,	Tompkins,

NOT VOTING—2

Keller,	McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER HOUSE BILL NO. 1571

The SPEAKER. The Chair lays before the House the next bill on special order fixed for this time.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 1571 as follows:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the name of the Department of Mines to the Department of Mines and Mineral Industries and changing the title of the head of said department from Secretary of Mines to Secretary of Mines and Mineral Industries further providing that where the term "Department of Mines" or "Secretary of Mines" are used or referred to in any other law contract or document such term of reference shall be deemed to refer to and include respectively the terms "Department of Mines and Mineral Industries" making an appropriation and "Secretary of Mines and Mineral Industries"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 act of April 9 1929 (P. L. 177) known as "The Administrative Code of 1929" amended April 25 1949 (P. L. 729) is amended to read

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant Governor Secretary of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania State Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines and Mineral Industries Department of Highways Department of Health Department of Labor and Industry Department of Welfare Department of Property and Supplies Department of Revenue Department of Public Assistance and Department of Commerce and by the following independent administrative boards and commissions Pennsylvania Game Commission Pennsylvania Fish Commission State Civil Service Commission Pennsylvania Public Utility Commission and the Pennsylvania Historical and Museum Commission

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania State Police

Section 2 As much as applies to the Department of Mines of section 202 of the act amended May 8 1947 (P L 158) is amended to read

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * *

In the Department of Mines and Mineral Industries

Anthracite Mine Inspectors

Bituminous Mine Inspectors

Anthracite Mine Inspectors' Examining Board

Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania

* * *

Section 3 Section 206 of the act amended May 10 1939 (P. L. 101) is amended to read

Section 206 Department Heads Each administrative department shall have as its head an officer who shall either personally by deputy or by the duly authorized agent or employe of the department and subject at all times to the provisions of this act exercise the powers and perform the duties by law vested in and imposed upon the department

[(a)] The following officers shall be the heads of the administrative departments following their respective titles

Secretary of the Commonwealth of the Department of State

Attorney General of the Department of Justice

Auditor General of the Department of the Auditor General

State Treasurer of the Treasury Department

Secretary of Internal Affairs of the Department of Internal Affairs

Superintendent of Public Instruction of the Department of Public Instruction

Adjutant General of the Department of Military Affairs

Insurance Commissioner of the Insurance Department

Secretary of Banking of the Department of Banking

Secretary of Agriculture of the Department of Agriculture

Secretary of Forests and Waters of the Department of Forests and Waters

Secretary of Mines and Mineral Industries of the Department of Mines and Mineral Industries

Secretary of Highways of the Department of Highways

Secretary of Health of the Department of Health

Secretary of Labor and Industry of the Department of Labor and Industry

Secretary of Welfare of the Department of Welfare

Secretary of Property and Supplies of the Department of Property and Supplies

Secretary of Revenue of the Department of Revenue

Secretary of Public Assistance of the Department of Public Assistance

Secretary of Commerce of the Department of Commerce

Section 4 Section 1901 of the act is amended to read

Section 1901 Powers and Duties in General The Department of Mines and Mineral Industries shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law heretofore vested in and imposed upon the [said] Department of Mines [and] the Chief of the Department of Mines and the Secretary of Mines

Section 5 Section 1902 of the act amended June 1 1931 (P. L. 350) is amended to read

Section 1902 Mines The Department of Mines and Mineral Industries shall have the power and its duty shall be

(a) To see that the mining laws of the Commonwealth are faithfully executed and for that purpose cause lawfully qualified mine inspectors to enter inspect and examine any mine or colliery within the Commonwealth and the works and machinery connected therewith

(b) To give such aid and instruction to the mine inspectors from time to time as may be calculated to protect the health and promote the safety of all persons employed in and about the mines

(c) To make such examinations and investigations as

may be necessary to enable it to make recommendations upon any matters pertaining to the general welfare of coal miners and others connected with mining and the interests of mine owners and operators in the Commonwealth

(d) Through a separate bureau to take such steps as it may deem advisable to promote the welfare of the mining and mineral interests of the Commonwealth and the use of the mineral products of Pennsylvania The exercise of this function shall not in any way interfere with the safety work of the department

Section 6 Section 1903 of the act is amended to read

Section 1903 Mine Inspectors Subject to any inconsistent provisions in this act contained anthracite mine inspectors and bituminous mine inspectors shall respectively under the direction of the Secretary of Mines and Mineral Industries continue to exercise the powers and perform the duties by law vested in and imposed upon them

Section 7 Section 1904 of the act added June 26 1939 (P. L. 111) is amended to read

Section 1904 Research for New Uses of Anthracite and Bituminous Coal The Department of Mines and Mineral Industries shall supervise the expenditure by the School of Mineral Industries of Pennsylvania State [College] University of appropriations made for the purpose of conducting researches to discover a by-product for the use of anthracite and bituminous coal and to develop new scientific chemical and other uses and new and extended markets for anthracite and bituminous coal and its products

The Commonwealth through the Department of Mines and Mineral Industries shall have the right to accept and receive gifts contributions bequests and devises of real or personal property made by any person for the above purposes which shall be designated as being for the use of the School of Mineral Industries of Pennsylvania State [College] University to be expended by it under the supervision of the Department of Mines and Mineral Industries

Section 8 Whenever the terms "Department of Mines" or "Secretary of Mines" occur in any law contract or document or whenever in any law contract or document reference is made to such department or secretary such term or reference shall be deemed to refer to and include respectively the terms "Department of Mines and Mineral Industries" and "Secretary of Mines and Mineral Industries" to which the said names are changed by this act

Section 9 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby appropriated to the Department of Mines and Mineral Industries for the purpose of administering the "gas operations well-drilling and coal mining act"

Section 10 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gaffney,	Lutty,	Royer,
Agnew,	Garlock,	Magee,	Rubin,
Amarando,	Gelfand,	Mahan,	Rudisill,
Anderson, M. S.,	George,	Markley,	Sarraf,
Anderson, S. A.,	Gibb,	Maxwell,	Scarcelli,
Ashton,	Gibson,	McCann,	Schuster,
Auker,	Goldstein,	McCormack,	Sherman,
Barnatovich,	Gramlich,	McGee,	Sigman,
Bazin,	Greenwood,	McInroy,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boies,	Hamilton, R. K.,	Meholchick,	Spencer,
Bonner,	Hamilton, W. H.,	Metz,	Stank,
Boory,	Hass,	Mihm,	Stebbins,
Bower,	Haudenshield,	Mikula,	Steckel,
Branca,	Heavey,	Miller,	Stephens,
Breisch,	Helm,	Mills,	Stevenson,
Brennan, A. P.,	Henzel,	Monroe,	Stone,
Brennan, J. J.,	Hewitt,	Moody,	Stoner,
Brenninger,	Hocker,	Moran,	Strausser,
Breth,	Holt,	Moscrip,	Stroup,
Brown,	Horst,	Muldowney,	Swartz,
Bucchin,	Houk,	Mullen,	Taylor,
Bullen,	Isaacs,	Munley,	Thomas,
Capano,	Jenkins,	Murphy,	Thompson,
Cianfrani,	Johnson,	Murray, H. P.,	Toll,
Cioffi,	Jones, G. E.,	Murray, J. J.,	Toomey,
Cochran,	Jones, T. H. W.,	Murray, P. G.,	Varallo,
Comer,	Jump,	Musto,	Varner,
Connelly,	Kamyk,	Naugle,	Vaughan,
Cooper,	Kehler,	Needham,	Verona,
Curwood,	Kent,	Ogilvie,	Wall,
Davis,	Kline,	Olsen,	Wallace,
Donahue,	Knecht,	O'Neil,	Walsh,
Donaldson,	Kolankiewicz,	Pacchioli,	Wargo,
Dougherty,	Kooker,	Parry,	Waterhouse,
Down,	Kornick,	Pashley,	Weidner,
Ehrgood,	Kratz,	Paulhamus,	Welsh,
Eilberg,	Kromer,	Petrosky,	Wescott,
Erb,	Kubacki,	Pettigrew,	Wheeler,
Eshleman,	Lafore,	Polaski,	Whitenight,
Ewing,	Lawyer,	Polen,	Willaredt,
Farabaugh,	Leiby,	Pomeroy,	Williams,
Filo,	Leisey,	Price,	Wilt,
Fineman,	Leonard,	Pursley,	Wood,
Flint,	Leven,	Readinger,	Worley,
Floyd,	Light,	Reibman,	Yetter,
Flynn,	Limper,	Reidenbach,	Yetzer,
Foster,	Lippincott,	Renwick,	Young,
Frank,	Lopresti,	Rigby,	Ziegler,
Frascella,	Lovett,	Rosen,	Andrews,
Frost,		Rovansek,	Speaker

NAYS—2

Banker,	Tompkins.

NOT VOTING—2

Keller,	McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER HOUSE BILL NO. 501

The SPEAKER. The Chair lays before the House the next bill on special order fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 501 as follows:

An Act providing for the regulation of lobbying requiring registration of lobbyists keeping accounts of contributions and of receipts and expenditures and requiring reports and statements under oath by lobbyists and persons receiving contributions or expending money to influence legislation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Lobbying Regulation Act"

Section 2 Definitions as used in this act

(1) "Contribution" includes a gift subscription loan advance or deposit of money or anything of value and a contract promise or agreement whether or not legally enforceable to make a contribution

(2) "Expenditure" includes a payment distribution loan advance deposit or gift of money or anything of value and a contract promise or agreement whether or not legally enforceable to make an expenditure

(3) "Person" includes an individual partnership committee association corporation and any other organization or group of persons

(4) "Political committtte" includes any committee association or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice-presidential electors

(5) "Legislation" means bills resolutions amendments nominations and other matters pending or proposed in either the House of Representatives or the Senate including any other matter which may be the subject of action by either house

Section 3 Persons to Whom Act is Applicable The provisions of this act shall apply only to any person (except a political committee as defined in section two of this act and duly organized State and local committees of a political party and any state municipal or other public corporation or department or accredited attorney agent or representative thereof while acting for any state municipal or other public corporation or department) who by himself or through any agent or employe or other persons with whom he is associated in any manner whatsoever directly or indirectly solicits collects or receives money or any other thing of value to be used principally to aid or one of the principal purposes of which person is to aid in the accomplishment of any of the following purposes

(1) The pasage or defeat of any legislation by the General Assembly of the Commonwealth of Pennsylvania and

(2) Directly or indirectly influencing the passage or defeat of any legislation by the General Assembly of the Commonwealth of Pennsylvania

Section 4 Contingent compensation prohibited no person shall be employed for a compensation contingent or partially contingent upon the passage amendment or defeat of any legislation or upon any other action of the General Assembly either House of the General Assembly or any committee thereof

Section 5 Detailed Accounts of Contributions Retention of Receipted Bills of Expenditures (a) Every person who in any manner solicits or receives a contribution to any organization or fund for the purposes hereinafter designated shall keep a detailed and exact account of

(1) All contributions of any amount or of any value

(2) The name and address of every person making any contribution of five hundred dollars ($500) or more and the date thereof

(3) All expenditures made by or on behalf of the organization or fund and

(4) The name and address of every person to whom any expenditure in excess of ten dollars ($10) is made and the date thereof

(b) He shall also obtain and keep a receipted bill stating the particulars for every expenditure of funds exceeding fifty dollars ($50) in amount all receipted bills and accounts required to be kept by this section shall be preserved for a period of at least two (2) years from the date of the filing of the statement containing such items

Section 6 Receipts for Contributions Every individual who receives a contribution of five hundred dollars ($500) or more for any of the purposes hereinafter designated shall within five (5) days after receipt thereof render to the person or organization for which the contribution was received a detailed account thereof including the name and address of the person making the contribution and the date on which received

Section 7 Statements of Accounts Filed with Chief Clerk of House (a) Every person receiving any contributions or expending any money to aid in the passage or defeat of any legislation by the General Assembly or directly or indirectly to influence the passage or defeat of any legislation by the General Assembly shall file with the chief clerk between the first and tenth day of each calendar quarter a statement containing as of the last day of the preceding quarter

(1) The name and address of each person who has made a contribution of five hundred dollars ($500) or more not mentioned in the preceding report The first report filed pursuant to this section shall contain the name and address of each person who has made any contribution of five hundred dollars ($500) or more to such person since the effective date of this act

(2) The total sum of the contributions made to or for such person during the calendar year and not stated under clause (1) of this section

(3) The total sum of all contributions made to or for such person during the calendar year

(4) The name and address of each person to whom an expenditure in one or more items of the aggregate amount or value within the calendar year of ten dollars ($10) or more has been made by or on behalf of such person and the amount date and purpose of the expenditure

(5) The total sum of all expenditures made by or on behalf of such person during the calendar year and not stated under clause (4) of this section and

(6) The total sum of expenditures made by or on behalf of such person during the calendar year

(b) The statements required to be filed by subsection (a) of this section shall be cumulative during the calendar year to which they relate but where there has been no change in an item reported in a previous statement only the amount need be carried forward

Section 8 Preservation of Statements Any statement required by the provisions of this act to be filed with the chief clerk

(1) Shall be deemed properly filed when deposited in an established post office within the prescribed time duly stamped registered and directed to the Chief Clerk of the House of Representatives of the Commonwealth of Pennsylvania Harrisburg Pennsylvania but in the event it is not received a duplicate of the statement shall be promptly filed upon notice by the chief clerk of its nonreceipt and

(2) Shall be preserved by the chief clerk for a period of two (2) years from the date of filing shall constitute part of the public records of his office and shall be open to public inspection

Section 9 Registration of Lobbyists with Secretary of the Senate and Chief Clerk of the House Any person who engages himself either for pay or other consideration or without pay or other consideration for the purpose of attempting to influence the passage or defeat of any legislation by the General Assembly of the Commonwealth of Pennsylvania shall before doing anything in furtherance of such object register with the Chief Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers in writing and under oath his name and business address the name and address of the person by whom he is employed if any and in whose interest he appears or works the duration of such employment by whom he is paid or is to be paid how much he is to be paid for expenses and what expenses are to be included

Section 10 Monthly Reports Each person registered shall on or before the tenth day of each calendar month as long as his activity continues file with the Chief Clerk of the House of Representatives and Secretary of the Senate a detailed report under oath of all money received and expended by him during the preceding calendar month in carrying on his work to whom paid for what purposes and the names of any papers periodicals magazines or other publications in which he has caused to be published any articles or editorials the proposed legislation he is employed to support or oppose and the person or interest he represents The provisions of this section shall not apply to any person who merely appears before a committee of the General Assembly of the Commonwealth of Pennsylvania in support of or opposition to legislation nor to any public official acting in his official capacity nor in the case of any newspaper or other regularly published periodical (including any individual who owns publishes or is employed by any such newspaper or periodical) which in the ordinary course of business publishes news items editorials or other comments or paid advertisements which directly or indirectly urge the passage or defeat of legislation if such newspaper periodical or individual engages in no other activities in connection with the passage or defeat of the legislation other than to appear before a committee of the General Assembly of the Commonwealth of Pennsylvania in support of or in opposition to legislation

All information required to be filed under the provisions of this section with the Chief Clerk of the House of Representatives and the Secretary of the Senate shall

be compiled by them acting jointly as soon as practicable after the close of the calendar month with respct to which the information is filed and shall be printed in the Appendix of the Legislative Journal

Section 11 Reports and Statements Under Oath All reports and statements required under the provisions of this act shall be made under oath or affirmation before an officer authorized by law to administer oaths

Section 12 Penalties (a) For a first or second offense any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or to undergo imprisonment for not more than twelve (12) months or both

(b) Any person convicted for a third time of the misdemeanor specified in subsection (a) of this section shall be sentenced to pay a fine of not more than five thousand dollars ($5,000) or to undergo imprisonment for not more than thirty-six (36) months or both

Section 13 Prosecutions by the Attorney General It shall be the duty of the Attorney General upon complaint made to him to bring prosecutions under the provisions of this act

Section 14 The provisions of this act shall not apply to practices or activities regulated by the act approved the third day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1333) known as the "Pennsylvania Election Code" nor be construed as repealing any of the provisions of that act

Section 15 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I am going to speak very briefly on House Bill 501, to call to the attention of the Members that it is the bill relating to the regulation of lobbyists. This is a subject that has been talked about for many years here in Harrisburg, and as you know, the Democratic State platform of 1954 contained a plank concerning the regulation of lobbying.

Those of you who have read the bill, I believe, will agree that in its present form it is not going to be an onerous burden on any person who seeks to influence the passing or defeat of legislation in the state legislature of Pennsylvania. In the main it requires the filing of certain reports by people who solicit and receive money for these purposes. It requires the registration of the people who are goin to do the lobbying, if they are employed by somebody and paid money to do so. And it requires any person engaged in lobbying for or against bills to list the amount of money that is spent in that endeavor.

It is my fervent hope that the public of Pennsylvania will understand that what we are doing here is not trying to ferret out one or two crooks. I believe most of the Members of this House believe that practically all of the lobbyists who have been working around Capitol Hill are honest, decent people and they are carrying out an honest function which is oftentimes very helpful to us. I know I have requested lobbyists over the years for much information and I have found it to be very valuable ad usually completely correct. This is in no way a reflection on the profession or the business of lobbying.

We believe that we have a perfect right to find out how much money is being spent to influence us one way or the other, and by whom it is being done. That is about all this bill does and I think we can, in all good conscience, vote for it and can expect good to come from its final passage. I ask the membership to vote for House Bill 501.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—114

Adam,	Gaffney,	Mihm,	Sherman,
Amarando,	Garlock,	Monroe,	Smith, C. C.,
Anderson, M. S.,	Gelfand,	Moody,	Smith, Wm. B.,
Anderson, S. A.,	Guss,	Moran,	Snider,
Barnatovich,	Hamilton, R. K.,	Muldowney,	Stank,
Bazin,	Hass,	Mullen,	Stebbins,
Bell,	Heavey,	Munley,	Stephens,
Boies,	Holt,	Murray, J. J.,	Stone,
Bonner,	Jenkins,	Musto,	Swartz,
Boory,	Jones, G. E.,	Needham,	Taylor,
Bower,	Kamyk,	Olsen,	Thomas,
Brennan, A. P.,	Kolankiewicz,	O'Neil,	Toll,
Brennan, J. J.,	Kornick,	Pacchioli,	Varallo,
Breth,	Kubacki,	Pashley,	Varner,
Bucchin,	Lawyer,	Paulhamus,	Verona,
Capano,	Leiby,	Petrosky,	Wallace,
Cioffi,	Leonard,	Pettigrew,	Walsh,
Comer,	Leven,	Polaski,	Wargo,
Curwood,	Limper,	Polen,	Welsh,
Eilberg,	Lopresti,	Readinger,	Wheeler,
Erb,	Lovett,	Reibman,	Whitenight,
Farabaugh,	Lutty,	Reidenbach,	Williams,
Filo,	Maxwell,	Renwick,	Wood,
Fineman,	McCann,	Rosen,	Yetter,
Flint,	McCormack,	Rovansek,	Yetzer,
Floyd,	McGee,	Rudisill,	Ziegler,
Flynn,	McLaughlin,	Sarraf,	Andrews,
Frank,	McWherter,	Scarcelli,	Speaker
Frascella,	Meholchick,	Schuster,	

NAYS—73

Ashton,	Goldstein,	Leisey,	Royer,
Auker,	Gramlich,	Light,	Rubin,
Banker,	Hamilton, W. H.,	Lippincott,	Sigman,
Blair,	Helm,	Magee,	Steckel,
Breisch,	Henzel,	Mahan,	Stevenson,
Brenninger,	Hocker,	Markley,	Stoner,
Brown,	Horst,	McInroy,	Strausser,
Bullen,	Houk,	Metz,	Thompson,
Connelly,	Isaacs,	Mikula,	Tompkins,
Cooper,	Johnson,	Miller,	Toomey,
Davis,	Jones, T. H. W.,	Moscrip,	Vaughan,
Donahue,	Jump,	Murphy,	Wall,
Down,	Kehler,	Murray, H. P.,	Waterhouse,
Ehrgood,	Kent,	Naugle,	Weidner,
Eshleman,	Knecht,	Ogilvie,	Wescott,
Ewing,	Kooker,	Parry,	Willaredt,
Frost,	Kratz,	Pursley,	Wilt,
George,	Kromer,	Rigby,	Worley,
Gibb,			

NOT VOTING—23

Agnew,	Foster,	Keller,	Pomeroy,
Branca,	Gibson,	Kline,	Price,
Cianfrani,	Greenwood,	Lafore,	Spencer,
Cochran,	Guthrie,	McKeever,	Stroup,
Donaldson,	Haudenshield,	Mills,	Young,
Dougherty,	Hewitt,	Murray, P. G.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER HOUSE BILL NO. 1101

The SPEAKER. The Chair lays before the House the next bill on special order fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1101, as follows:

An Act amending the act of August 26 1953 (P. L. 1476) entitled "An act to carry out the intent and purpose of Article XV Section 1 and Article XIV Section 8 of tne Constitution of Pennsylvania and to supplement the First Class City Home Rule Act approved April twenty-one one thousand nine hundred forty-nine (P. L. 665) by vesting in the Council of the City of Philadelphia full powers to legislate with respect to the election appointment compensation organization abolition merger consolidation powers functions and duties of certain officers offices boards and commissions of the City of Philadelphia providing that such officers may be made appointive or abolished altering the term of the District Attorney of Philadelphia and establishing the status of the Sheriff City Commissioners Board of Revision of Taxes and Registration Commission the members of such board and commission and the subordinates and employes of such officers board and commission" removing the exclusion of the Sheriff City Commissioners Board of Revision of Taxes and Registration Commission from the provisions of section 2 and providing that such officers be included within the provisions of the said section so that tne Council of the City of Philadelphia shall have full powers to legislate with respect to the election appointment compensation organization abolition merger consolidation powers functions and duties of the Sheriff City Commissioners Board of Revision of Taxes Registration Commission of the City of Philadelphia and all former county officers offices boards and commissions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 2 act of August 26 1953 (P. L. 1476) entitled "An act to carry out the intent and purpose of Article XV Section 1 and Article XIV Section 8 of the Constitution of Pennsylvania and to supplement the First Class City Home Rule Act approved April twentyone one thousand nine hundred forty-nine (P. L. 665) by vesting in the Council of the City of Philadelphia full powers to legislate with respect to the election appointment compensation organization abolition merger consolidation powers functions and duties of certain officers offices boards and commissions of the City of Philadelphia providing that such officers may be made appointive or abolished altering the term of the District Attorney of Philadelphia and establishing the status of the Sheriff City Commissioners Board of Revision of Taxes and Registration Commission the members of such board and commission and the subordinates and employes of such officers board and commission" are amended to read

An Act

To carry out the intent and purpose of Article XV Section 1 and Article XIV Section 8 of the Constitution of Pennsylvania and to supplement the First Class City Home Rule Act approved April twenty-one one thousand nine hundred forty-nine (P. L. 665) by vesting in the Council of the City of Philadelphia full powers to legislate with respect to the election appointment compensation organization abolition merger consolidation powers functions and duties of certain officers offices boards and commissions of the City of Philadelphia providing that such officers may be made appointive or abolished altering the term of the District Attorney of Philadelphia [and establishing the status of the Sheriff City Commissioners Boards of Revision of Taxes and Registration Commission the members of such board and commission and the subordinates and employes of such officers board and commission]

Section 2 Powers of Council

(a) Subject to the provisions of the Philadelphia Home Rule Charter the Council of the City of Philadelphia shall have full powers to legislate with respect to the election appointment compensation organization abolition merger consolidation powers functions and duties of the Coroner Recorder of Deeds City Treasurer Clerk of the Court of Quarter Sessions Oyer and Terminer and General Jail Delivery [and] the Board of Inspectors of the Philadelphia County Prison Sheriff City Commissioners Board of Revision of Taxes and the Registration Commission The provisions of Section 1-102(2) of the Philadelphia Home Rule Charter are hereby validated and the power of Council to act thereunder is hereby confirmed

(b) The Council of the City of Philadelphia may abolish or alter the manner of selection of any of the above officers enumerated in subsection (a) of section 2 thereof without submitting the determination of that question to the electorate of the City of Philadelphia

Section 2 Section 5 of the act is repealed

Section 3 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Adam,	Gaffney,	McWherter,	Sarraf,
Amarando,	Garlock,	Meholchick,	Scarcelli,
Anderson, M. S.,	Gelfand,	Mihm,	Schuster,
Anderson, S. A.,	Guss,	Monroe,	Sherman,
Barnatovich,	Hamilton, R. K.,	Moran,	Smith, C. C.,
Bazin,	Hass,	Muldowney,	Smith, Wm. B.,
Boles,	Heavey,	Mullen,	Snider,
Bonner,	Holt,	Munley,	Stank,
Boory,	Jenkins,	Murray, J. J.,	Stebbins,
Brennan, A. P.,	Jones, G. E.,	Musto,	Stephens,
Brennan, J. J.,	Kamyk,	Needham,	Stone,
Breth,	Kolankiewicz,	Olsen,	Swartz,
Bucchin,	Kornick,	O'Neil,	Taylor,
Capano,	Kubacki,	Pacchioli,	Thomas,
Cioffi,	Lawyer,	Pashley,	Toll,
Comer,	Leiby,	Paulhamus,	Varallo,
Curwood,	Leonard,	Petrosky,	Verona,
Dougherty,	Leven,	Pettigrew,	Wallace,
Eilberg,	Limper,	Polaski,	Walsh,
Farabaugh,	Lopresti,	Polen,	Wargo,
Filo,	Lovett,	Readinger,	Welsh,
Fineman,	Lutty,	Reibman,	Wheeler,
Flint,	Maxwell,	Reidenbach,	Whitenight,
Floyd,	McCann,	Renwick,	Williams,
Flynn,	McCormack,	Rosen,	Yetter,
Frank,	McGee,	Rovansek,	Yetzer,
Frascella,	McLaughlin,	Rudisill,	Andrews, Speaker

NAYS—71

Agnew,	Frost,	Mahan,	Steckel,
Ashton,	Gibb,	Markley,	Stevenson,
Auker,	Goldstein,	McInroy,	Stoner,
Banker,	Gramlich,	Metz,	Strausser,
Bell,	Haudenshield,	Mikula,	Thompson,
Bower,	Helm,	Miller,	Tompkins,
Breisch,	Henzel,	Moody,	Toomey,
Brenninger,	Hocker,	Moscrip,	Varner,
Brown,	Horst,	Murray, H. P.,	Vaughan,
Bullen,	Houk,	Naugle,	Wall,
Connelly,	Jump,	Ogilvie,	Waterhouse,
Cooper,	Kehler,	Parry,	Weidner,
Davis,	Knecht,	Price,	Willaredt,
Donahue,	Kooker,	Pursley,	Wilt,
Ehrgood,	Kratz,	Rigby,	Wood,
Erb,	Leisey,	Royer,	Worley,
Eshleman,	Light,	Rubin,	Ziegler,
Ewing,	Magee,	Sigman,	

NOT VOTING—31

Blair,	Gibson,	Keller,	Murphy,
Branca,	Greenwood,	Kent,	Murray, P. G.,
Cianfrani,	Guthrie,	Kline,	Pomeroy,
Cochran,	Hamilton, W. H.,	Kromer,	Spencer,
Donaldson,	Hewitt,	Lafore,	Stroup,
Down,	Isaacs,	Lippincott,	Wescott,
Foster,	Johnson,	McKeever,	Young,
George,	Jones, T. H. W.,	Mills,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

STATEMENT BY SPEAKER

The SPEAKER. The Chair hopes the Members will realize that the Speaker has gone to extraordinary lengths in order to insure the integrity of the roll call. The Chair does not think any Speaker could have gone farther than the Chair has, and thinks it is an effort with which the Members of this House should cooperate.

Here at the rostrum and on the floor it would be quite possible, unless we are on the ball all of the time to get a vote here and there that should not be recorded. The Speaker announced the day he took the Chair that if there is one thing he would insist upon it was insuring the integrity of the roll call, and the Chair does wish that while the rolls are called there be order so that the Members may be recorded.

The very heart and soul of parliamentary government is that the Members be properly recorded.

SPECIAL ORDER HOUSE BILL NO. 1268

The SPEAKER. The Chair lays before the House the next bill on special order fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1268, as follows:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cties boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing provisions relating to disposition of certain fines and penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1207 act of May 1 1929 (P. L. 905) known as "The Vehicle Code" amended June 27 1939 (P. L. 1135) is amended to read

Section 1207 Disposition of Fines and Forfeitures

(a) All fines and penalties collected under the provisions of this act for violations of the same and all bail forfeited shall be [paid to the department and transmitted to the State Treasury and credited to the "General Fund" except those collected for violations of the provisions of section nine hundred and three (903) nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) one thousand and twenty-eight (1028) of this act committed within cities boroughs incorporated towns and townships which fines and penalties and all bail forfeited shall be paid to the treasurer of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof Provided That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016) committed within cities boroughs incorporated towns and townships shall be paid to the treasury of the city borough incorporated town or township wherein the violation occurred to] disposed of according to the violation for which each such fine or penalty shall be imposed or alleged violation for which such bail shall be required as follows

(1) For violation of subsection (f) of section six hundred twenty (620) one hundred per centum (100%) to the county in which the violation shall occur

(2) For violation of section nine hundred three (903) nine hundred five (905) or one thousand two (1002) fifty per centum (50%) to the motor license fund and fifty per cetnum (50%) to the city borough town or township in which the violation shall occur

(3) For violation of section one thousand eleven (1011) one thousand fifteen (1015) one thousand sixteen (1016) one thousand eighteen (1018) one thousand twenty (1020) one thousand twenty-six (1026) or one thousand twenty-eight (1028) one hundred per centum (100%) to the city borough town or township in which the violation shall occur

(4) For any other violation one hundred per centum (100%) to the general fund

(b) All dispositions to the Motor License Fund and General Fund shall be transmitted to the department and by it to the state treasurer all dispositions to a city borough town or township shall be tranmitted to the treasurer thereof and shall be used by such city borough [incorporated] town or township for the construction repair and maintenance of the highways thereof [And provided further That all fines and penalties collected and all bail forfeited for violations of the provisions of subsection (f) of section six hundred twenty (620) shall be paid to the treasury of the county wherein the violation occurred to] all dispositions to a county shall be transmitted to the treasurer thereof and shall be used by such county for the payment of physicians' fees for the examination of persons accused of violating the provisions of [the said] subsection (f) of section [Any] six hundred twenty (620) except that any balance remaining in the treasury of the county at the expiration of the calendar year and not payable for physicians' services rendered shall be used for county highway purposes

* * *

[(b)] (c) Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate or other officer imposing or receiving the same to the secretary upon forms furnished by the department such reports shall be made monthly not later than the tenth (10th) day of the following month

Penalty Any magistrate or other officer who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a court of quarter sessions shall be sentenced to pay a fine of five hundred ($500.00) dollars and costs of prosecution or undergo imprisonment for not more than sixty days or suffer both such fine and imprisonment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate Mr. Lovett, one of the sponsors of this bill.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Lovett, permit himself to be interrogated?

Mr. LOVETT. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, one of the provisions of

this bill splits the fine taken from overloaded trucks fifty per cent to the state and fifty percent to the counties. I would like to inquire whether or not that applies to all sixty-seven counties.

Mr. LOVETT. To the best of my knowledge, Mr. Speaker, it does.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, I should like to call the attention of the House in that respect to Article V, Section 13 of the Constitution, which states that "all fees, fines and penalties in said courts (of Philadelphia County) shall be paid into the county treasury." This bill as it stands would apply to all counties and in its present form is unconstitutional. Furthermore I do not see why we should grant a privilege to one county which we do not grant to the other 66.

On the question recuring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—97

Amarando,	Frank,	McLaughlin,	Sarraf,
Anderson, M. S.,	Frascella,	McWherter,	Scarcelli,
Anderson, S. A.,	Gaffney,	Mihm,	Schuster,
Barnatovich,	Garlock,	Mikula,	Sherman,
Bazin,	Gelfand,	Monroe,	Smith, C. C.,
Boles,	Guss,	Moran,	Smith, Wm. B.,
Bonner,	Hass,	Muldowney,	Stebbins,
Boory,	Heavey,	Mullen,	Stephens,
Bower,	Holt,	Munley,	Stone,
Brennan, A. P.,	Jenkins,	Murray, H. P.,	Swartz,
Brennan, J. J.,	Jones, G. E.,	Needham,	Taylor,
Breth,	Kamyk,	Olsen,	Thomas,
Bucchin,	Kolankiewicz,	Pacchioli,	Toll,
Cioffi,	Kubacki,	Pashley,	Varallo,
Comer,	Lawyer,	Paulhamus,	Verona,
Dougherty,	Leiby,	Pettigrew,	Wargo,
Down,	Leonard,	Polaski,	Welsh,
Eilberg,	Leven,	Polen,	Wescott,
Erb,	Limper,	Reibman,	Whitenight,
Ewing,	Lopresti,	Reidenbach,	Williams,
Farabaugh,	Lovett,	Rigby,	Worley,
Filo,	Lutty,	Rosen,	Yetter,
Fineman,	Maxwell,	Rovansek,	Andrews,
Flint,	McCormack,	Royer,	Speaker
Floyd,	McGee,		

NAYS—87

Adam,	Gramlich,	McCann,	Snider,
Agnew,	Hamilton, R. K.,	McInroy,	Stank,
Ashton,	Haudenshield,	Meholchick,	Steckel,
Auker,	Helm,	Metz,	Stevenson,
Banker,	Henzel,	Miller,	Stoner,
Bell,	Hocker,	Moody,	Strausser,
Blair,	Houk,	Moscrip,	Thompson,
Breisch,	Isaacs,	Murphy,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jump,	Musto,	Varner,
Connelly,	Kehler,	Naugle,	Vaughan,
Cooper,	Kent,	Ogilvie,	Wall,
Curwood,	Knecht,	O'Neil,	Walsh,
Davis,	Kooker,	Parry,	Waterhouse,
Donahue,	Kornick,	Petrosky,	Weidner,
Eshleman,	Kromer,	Price,	Wheeler,
Flynn,	Leisey,	Pursley,	Willaredt,
Foster,	Light,	Readinger,	Wilt,
Frost,	Lippincott,	Renwick,	Wood,
George,	Magee,	Rubin,	Yetzer,
Gibb,	Mahan,	Rudisill,	Ziegler,
Goldstein,	Markley,	Sigman,	

NOT VOTING—26

Branca,	Gibson,	Keller,	Murray, P. G.,
Brenninger,	Greenwood,	Kline,	Pomeroy,
Brown,	Guthrie,	Kratz,	Spencer,
Cianfrani,	Hamilton, W. H.,	Lafore,	Stroup,
Cochran,	Hewitt,	McKeever,	Wallace,
Donaldson,	Horst,	Mills,	Young,
Ehrgood,	Jones, T. H. W.,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SPECIAL ORDER HOUSE BILL NO. 1413

The SPEAKER. The Chair lays before the House the next bill on special order fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1413 as follows:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (1951-52 P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing the qualifications of superintendents of State institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty-six of the act approved the twelfth day of June one thousand nine hundred fifty-one (1951-52 P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-52 P. L. 2053) is hereby amended to read as follows

Section 226 Qualifications etc of Superintendents The superintendent of every State institution shall be a physician with at least seven years training or experience or both in the care of patients [In institutions for the care of female patients the superintendent shall be a woman]

Section 2 The provisions of this act shall become effective immediately

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question.

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, when this bill was on second reading I at that time asked the Majority Leader to obtain certain information in connection with it prior to the time of its consideration on third reading.

Those questions were:

(1) How many institutions in the state are affected by this bill?

(2) What institutions affected by this bill now have male physicians, superintendents?

Mr. READINGER. Mr. Speaker, in answer to the gentleman's interrogation of a couple months ago, may I state I contacted the Secretary of Welfare and was advised that there is only one institution in Pennsylvania affected by this bill, and that is Laurelton State Village.

Mr. TOMPKINS. I thank the gentleman, Mr. Speaker.

Mr. Speaker, this is an innocent looking bill both in size and content. All the bill does is strike out the following:

"In institutions for the care of female patients the superintendent shall—I repeat—shall be a woman."

Let us take a look at the background and history leading up to the introduction of this bill, together with subsequent events.

In January of this year the present Secretary of Welfare launched a "reign of terror" in the institutions

under his jurisdiction. designed to drive the rascals out—and I don't mean the patients in the institutions.

From Allentown to Torrance for one reason or another he succeeded and substituted his own brand of rascals

One thing he failed to reckon with, however, is that the Reign of Terror spread further than was intended for soon good qualified personnel began to leave the department and the institutions either because of political interference, as in the case of Danville, to the disrupting of a program at Laurelton.

The market for qualified personnel for such institutions is at best extremely tight. You can see that in an editorial in "Life" magazine of July 11, 1955.

But all the money in the world won't induce good qualified personnel to take employment under a "Mad Tyrant." It is not psychiatrists (although the Secretary has repeatedly indicated this was part of his solution to the problem) * * * *

POINT OF ORDER

Mr. READINGER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. READINGER. The gentleman is not speaking on this bill and his remarks are not even related to this bill. I think he is out of order.

Mr. TOMPKINS. Mr. Speaker, what I am saying is the background leading up to the introduction of this bill. I think it is entirely apropos

The SPEAKER. The gentleman will proceed. The gentleman is as well acquainted with the parliamentary proprieties as is the Chair, perhaps more so.

The Chair would suggest the gentleman is not arguing in court, but is discussing House Bill 1413 and would suggest that he adhere to discussion properly in consideration of the bill.

Mr. TOMPKINS. I contend this is a part of it, Mr. Speaker. If you rule it is not a part, I can still get out to the people of Pennsylvania what the truth of this situation is, if the House does not care to hear it.

Mr. READINGER. Mr. Speaker, I rise in support of my point of order.

If I am in order, I would like to make a statement in support of the point of order I have raised.

The SPEAKER. The Chair has already ruled and has admonished the gentleman from Cameron to confine himself in his further remarks. There is nothing the Chair can do regarding the remarks already made. The Chair has requested him to confine his remarks in the discussion of the bill to those matters pertaining to the bill.

The gentleman will proceed.

Mr. TOMPKINS. Mr. Speaker, I am going to file as part of the record in this debate this prepared statement, which I contend leads up to this bill, in order that the entire record may be had for the benefit of the public, but will confine myself specifically to female physicians.

(Following is the statement filed by Mr. Tompkins.)

* * * * * who will send up costs; there is only a limited number available and the various states have now declared a truce in bidding against each for those that are.

The Secretary then took to the blowing up technique in certain instances, for the declared purpose of shocking the public in order to obtain additional funds which he claimed was needed to operate his Department. But with all his sensationalism and grandiose programs, after 4½ months in office, January 18, 1955 to May 31, 1955, he was unable to spend all the money appropriated by the previous Republican Administration. He turned back $6,700,000 of it. Now, if he had and has such wonderful programs for the care, treatment and rehabilitation of patients in these institutions, how come he did not spend some of this money for that purpose. The suspicion grows with each succeeding day that the increased sums requested by him, 52 million dollars, is desired not so much for the benefit of the patients, but for the building of a huge political machine at the expense of human misery.

He writes letters to anxious and worried parents that their children cannot be admitted to Polk because of the long waiting list caused by the Republicans. If this is so (but the record will show the Republicans were constantly expanding the facilities at this Institution) then why did not the Secretary use or have allocated a part of the $6,700,000 he turned back, for the purpose of expanding these facilities to take care of the demand? The people to whom he wrote such letters are entitled to an answer on this one.

Then, of course, the Secretary announced with fan fare, there would be no more politics in his Department, or under his jurisdiction. This was short lived however when a Gentleman from the other Chamber, a Democratic Gentleman, threatened to introduce a resolution to investigate this choking off of patronage. Well, just what happened on this one—Let the Harrisburg Evening News of September 9, 1955 tell you:

"Democratic leaders today had a "ray of hope" that patronage problems in state institutions under the Department of Welfare will work out "satisfactorily for everybody.

"This is the first day of hope that we have had which indicates that the situation will work out satisfactorily for everybody in the end," said Sen. Hugh J. McMemamin (D-Lackawanna).

"He made the statement yesterday following a meeting of Democratic leaders from Lackawanna County with Harry Shapiro, secretary of Welfare. The meeting was called by Gov. Leader.

"Shapiro recently announced that employes of state hospitals must not participate in politics.

"Following the announcement McMenamin drafted a resolution for introduction in the Senate after September 12 which criticizes the Leader administration on patronage.

"But after yesterday's session McMenamin said the resolution will be held up "at least for the time being."

"The senator said additional conferences will be held with Shapiro in an effort to get action on recommendations for state posts by Lackawanna County leaders.

"McMenamin said Shapiro told the group he wanted to cooperate with them but that he "has a lot of problems".

In February of this year the services of a good and well qualified female physician was lost at Laurelton. The Commissioner of Mental Health, Dr. Hilding Bengs was placed in temporary charge of the Institution. In April of this year the Secretary went to the then Board of Trustees and ask them to approve the appointment

of a male physician as Superintendent of an exclusively female institution. This the Board refused to do, contending that in doing so they would be making themselves a party to an illegal act. The Secretary thereupon proceeded on his own initiative to appoint a male physician as Acting Superintendent, the Secretary well knowing at the time the appointment was illegal.

So on May 23, 1955 House Bill No. 1413 was introduced, which if passed and approved by the Governor would legalize an Act of the Secretary which at the time it was done was illegal.

Therefore, I, like the then Board of Trustees, refuse to make myself a party to an illegal transaction by voting for this bill. I think what the Secretary has done in this instance clearly constitutes malfeasance in office, and I ask that the Secretary resign for such malfeasance.

I think the welfare of the unfortunates in the Institutions under the jurisdiction of the Department of Welfare, the welfare of the Department of Welfare, and the welfare of the Commonwealth of Pennsylvania could best be served by the resignation of the Secretary of Welfare.

Because of his reign of terror, his no hope letters and misery politics, his patronage deals, and his malfeasance in office, I ask that the Secretary of Welfare resign.

Mr. READINGER. Mr. Speaker, I simply desire to point out to the House that this bill does not prevent the appointment of a qualified female physician as head of this institution. It simply removes the requirement that the superintendent must be a female.

Mr. BOIES. Mr. Speaker, as a member of the Committee on the part of the House which conducted the investigation at Laurelton State Village, may I say to the Members of the House that the statements made by the gentleman from Cameron may lead some people to believe that the state lost some very valuable and irreplaceable employes in Laurelton State Village by the action of the Secretary of Welfare.

Let me say to you, Mr. Speaker, and to the Members that in the opinion of at least three Members of the House Committee the loss of these employes was far too long delayed * * *

POINT OF ORDER

Mr. TOMPKINS. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. TOMPKINS. Is the gentleman from Allegheny now speaking upon the provisions of this bill?

The SPEAKER. The Chair would admonish the gentleman from Allegheny that the Chair does not believe the details which the gentleman is beginning to discuss are pertinent to the consideration of this bill. They are matters that the gentleman, I believe, would be privileged to file for the record, but we are discussing the merits of House Bill 1413 and the Chair would admonish the gentleman from Allegheny as he admonished the gentleman from Cameron.

Mr. BOIES. Thank you, Mr. Speaker.

May I say then that this bill refers only to Laurelton State Village. The Members of the House should be, if they are not, acquainted with the circumstances which I wish to bring out.

I would say to the membership that we have now a Secretary of Welfare who is trying to do a job, who is capable of doing a job, and if he thinks that this is the best bill and the best procedure for Laurelton State Village, I appeal to you to support him and do the thing that is best, not only for the inmates but for all those who are concerned about the inmates.

PARLIAMENTARY INQUIRY

Mr. READINGER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. READINGER. Does the gentleman from Cameron offer to file his remarks which were excluded from being read into the record?

I believe he stated while he was debating that he intended to file certain comments which he was about to make.

The SPEAKER. The gentleman stated his intention of filing for the record comments that he desired to make.

Mr. READINGER. Has the gentleman offered to file them?

Mr. TOMPKINS. Yes, I have offered to file them, Mr. Speaker.

The SPEAKER. He has offered them for the record.

Mr. READINGER. Mr. Speaker, I object to the filing and printing of any comments which have been excluded during the course of this debate and which might be contained in his written document.

The SPEAKER. The Chair would rule that the proposed filing of a statement by the gentleman from Cameron is not now within the purview of the Chair, or within the purview of the Members of this House, because we have not heard it and we have not read it.

The Chair would rule that the gentleman be permitted to file his statement. When it is a part of the record, the gentleman from Berks, Mr. Readinger, or any other Member, may move that it be stricken from the record.

The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, this bill provides that the superintendent of every state institution shall be a physician with at least seven years training or experience, or both, in the care of patients, and in an institution for the care of female patients, the superintendent shall be a woman.

I would like to call the attention of the House to the fact that the Superintendent at Muncy Home is also a woman, so there is more than one institution in the state involved under the provisions of this bill.

I would also like to call your attention to the fact that when Laurelton State Village was first created there was written into the law that the superintendent shall be a woman. That was done because of the fact that it was an exclusively female institution and it was felt by the Legislators at that time that it was best to have the viewpoint of a woman in the treatment of women. That is the reason it was written into the law at that time and why it has been in the law ever since.

I cannot see any virtue in changing that procedure at the present time.

Mr. LOPRESTI. Mr. Speaker, I would like to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, consent to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, can the gentleman tell us how many female psychiatrists we have in Pennsyl-

vania who would meet the qualifications set up in this particular bill?

Mr. TOMPKINS. Mr. Speaker, I have not made a survey of medical colleges, female physicians, or otherwise, so I could not tell the gentleman.

Mr. LOPRESTI. Mr. Speaker, would the gentleman say then, if there were only one or two, that that provision should remain and the Commonwealth be compelled to hire somebody who in the opinion of the Secretary was not the proper person?

Mr. TOMPKINS. By the same token, Mr. Speaker, I might answer that with another question.

Does the gentleman from Cambria, Mr. Lopresti, know how many female physicians there are in the state of Pennsylvania?

Mr. LOPRESTI. I don't know, Mr. Speaker, but here we are seeking to amend a bill which would permit either a woman or a man, doctor, phychiatrist, properly trained. We are not asking that females be eliminated, they can be hired if they are available.

As the present law is, we could not hire one if there were none available, and that is why I asked the gentleman if he knows whether they are available.

Mr. TOMPKINS. Mr. Speaker, I don't know how many there are in Pennsylvania and I don't know how many there are in the United States, but the Secretary so far has gone beyond the borders of the state to get an awful lot of his professional personnel. His question would cover the entire United States, maybe the world. We have a few DP doctors up at Laurelton at the present time.

Mr. LOPRESTI.Mr. Speaker, I think for one time we should set aside political considerations. Perhaps something did happen at Laurelton that was political, I don't know and I don't care. The thing that I am interested in from now on is the treatment and the care of those patients who are in that particular institution.

I have no fear of placing women under the custody of qualified male phychiatrists. We all know that females all over this country, in fact, females all over the world, are being treated constantly for mental illnesses and for all other types of illnesses by male doctors. There is no reason why, in my opinion, we should place a limitation on the hiring of psychiatrists for any institution.

There is no reason, for example, why a female psychiatrist could not properly, under certain circumstances, be employed in an all male hospital. I think we do an injustice to the patients when we attempt to limit professional services to one sex or the other.

I think this bill should be voted upon merely on its merits. We want psychiatrists, and we do not care whether they are female or male psychiatrists. We want the best that we can have, and those who will give the best treatment to the patients under the circumstances.

Mr. AGNEW. Mr. Speaker, there is one point here which is undisputed and which the gentleman from Cambria, Mr. Lopresti, conveniently overlooks.

The law as it stands today says that the Superintendent at Laurelton must be a woman. The Secretary of Welfare, Mr. Shapiro, removed a woman and replaced her with a male superintendent.

Mr. Shapiro took an oath of office to uphold and defend the Constitution and the laws of Pennsylvania, and Mr. Shapiro has violated his oath of office.

Mr. GARLOCK. Mr. Speaker, in reply to the gentleman from Allegheny County, I wish to inform him that Mr. Shapiro did not remove the woman, she resigned.

Mr. LOPRESTI. Mr. Speaker, further in reply to the gentleman from Allegheny, I purposely did not discuss the thing he talked about because it is not pertinent to this bill.

If Mr. Shapiro has committed malfeasance, if he has violated some law, that is not for this Legislature to decide under this bill. We are talking now about what we shall do in the future, whether or not Laurelton shall be restricted to female psychiatrists in the future. I am not concerned about what went on in the past.

If the gentleman from Allegheny or the gentleman from Cameron, Mr. Tompkins, is concerned about that, there is a proper remedy in the courts and not in this Legislature to decide that question.

Mr. KOLANKIEWICZ. Mr. Speaker, I happened to be a Member of the Committee that investigated Laurelton. I do want to say that I can see the purpose of this bill. As I see it, the purpose of this bill, when the lady physician resigned up there, where was the Secretary of Welfare going to find another lady to replace the lady that resigned.

He, therefore, had to place Dr. Bengs in her place. If circumstances should exist, if he were to comply with the law and could not find a lady physician, what is going to give him the proper authority to act according to the law?

I can see the purpose of this bill. In case a lady physician or psychiatrist should resign and this bill is not changed, they are going to wait for a lady physician. If there is no one going to be up there, no physician is going to be available privileged to take her place.

I think the bill is a good bill and we should support it.

Mr. TOMPKINS. Mr. Speaker, there has been a lot of discussion by the gentleman from Cambria and others regarding the provisions of this bill

This bill does not relate to the hiring of psychiatrists, or the hiring of physicians, or anything else, it relates to the hiring of a superintendent. It says the superintendent must be a physician. There is no reference to any of the other employes. It is just that the superintendent must be a female physician, that is what this bill did provide and that is the provision you are trying to strike out.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Adam,	Frascella,	McWherter,	Rudisill,
Amarando,	Gaffney,	Meholchick,	Sarraf,
Anderson, M. S.,	Garlock,	Mihm,	Scarcelli,
Anderson, S. A.,	Gelfand,	Monroe,	Schuster,
Auker,	Guss,	Moran,	Sherman,
Barnatovich,	Hamilton, R. K.,	Muldowney,	Smith, Wm. B.,
Bazin,	Hass,	Mullen,	Snider,
Boles,	Heavey,	Munley,	Stank,
Bonner,	Holt,	Murphy,	Stebbins,
Boory,	Jenkins,	Murray, J. J.,	Stephens,
Brennan, A. P.,	Jones, G. E.,	Musto,	Stone,
Brennan, J. J.,	Kamyk,	Needham,	Swartz,
Breth,	Kolankiewicz,	Olsen,	Taylor,
Bucchin,	Kornick,	O'Neil,	Thomas,
Capano,	Kubacki,	Pacchioli,	Toll,
Cioffi,	Lawyer,	Pashley,	Varallo,
Comer,	Leiby,	Paulhamus,	Verona,

Connelly,	Leonard,	Petrosky,	Walsh,
Curwood,	Leven,	Pettigrew,	Wargo,
Dougherty,	Limper,	Polaski,	Welsh,
Eilberg,	Lopresti,	Polen,	Wheeler,
Farabaugh,	Lovett,	Readinger,	Whitenight,
Filo,	Lutty,	Reibman,	Williams,
Fineman,	Maxwell,	Reidenbach,	Yetter,
Flint,	McCann,	Renwick,	Yetzer,
Floyd,	McCormack,	Rosen,	Andrews,
Flynn,	McGee,	Rovansek,	Speaker
Frank,	McLaughlin,		

NAYS—70

Agnew,	Haudenshield,	Markley,	Steckel,
Ashton,	Helm,	McInroy,	Stevenson,
Banker,	Henzel,	Mikula,	Stoner,
Bower,	Hocker,	Miller,	Thompson,
Bullen,	Horst,	Moody,	Tompkins,
Cooper,	Houk,	Moscrip	Toomey,
Davis,	Isaacs,	Murray H. P.,	Varner,
Donahue,	Johnson,	Naugle,	Vaughan,
Down,	Jump,	Ogilvie,	Wall,
Ehrgood,	Kent,	Parry,	Waterhouse,
Erb,	Knecht,	Price,	Weidner,
Eshleman,	Kooker,	Pursley,	Wescott,
Ewing,	Kromer,	Rigby,	Willaredt,
Frost,	Leisey,	Royer,	Wilt,
George,	Light,	Rubin,	Wood,
Gibb,	Lippincott,	Sherman,	Worley,
Goldstein,	Magee,	Smith, C. C.,	Ziegler,
Gramlich,	Mahan,		

NOT VOTING—31

Bell,	Donaldson,	Kehler,	Murray, P. G.,
Blair,	Foster,	Keller,	Pomeroy,
Branca,	Gibson,	Kline,	Spencer,
Breisch,	Greenwood,	Kratz,	Strausser,
Brenninger,	Guthrie,	Lafore,	Stroup
Brown,	Hamilton, W. H.,	McKeever,	Wallace,
Cianfrani,	Hewitt,	Metz,	Young,
Cochran,	Jones, T. H. W.,	Mills,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

STATEMENT BY SPEAKER

The SPEAKER. The gentleman of the Press well know they are not privileged to confer with Members of the House while the House is in session. There have been repeated offenses of that kind which the Chair cannot tolerate.

POINT OF ORDER

Mr. TOMPKINS. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. TOMPKINS. Mr. Speaker, inasmuch as it has been brought out on the floor of this House that the Secretary of Welfare has committed an act of malfeasance in office, I am asking the Chair the procedure for his removal from office.

The SPEAKER. If the gentleman from Cameron, Mr. Tompkins, will effect an immediate amendment to the Constitution granting to the Chair the power and privilege of removing cabinet officers, the Chair might have a bit of a holiday some morning.

Mr. TOMPKINS. Mr. Speaker, I was not inquiring as to the Speaker's duties to remove the Secretary, I am asking the Speaker what the legislative and constitutional procedure is for the purpose of removing the Secretary.

The SPEAKER. For the information of the gentleman the Chair will read the Constitution.

Article VI, Section 1. Power of Impeachment.

"The House of Representatives shall have the sole power of impeachment."

Section 2, Trials of Impreachment. "All impeachment shall be tried by the Senate."—there is trouble right there—"when sitting for that purpose the Senators shall be upon oath or affirmation; no person shall be convicted without the concurrence of two-thirds of the Members present.

The House starts the impeachment proceedings with a bill of particulars and the Senate tries it.

SPECIAL ORDER HOUSE BILL NO. 1618

The SPEAKER. The Chair lays before the House the next bill on special order fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1618, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards and commissions and officers fixing the salaries of the Governor Licutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments board and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" Prescribing powers and duties of the Department of Welfare with respect to juveniles

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate one of the sponsors of the bill or the Majority Leader, whoever desires to be interrogated.

The SPEAKER. Will the Majority Leader, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, this bill repeals a section which was added in 1945 to the 1929 Act. I am now asking what this bill does which is not already provided for in the Act of 1945

Mr. READINGER. Mr. Speaker, at the moment I cannot answer that question, I do not have the Act of 1945 before me. I presume that it broadens the powers of the Department of Welfare in respect to the treatment and control of juvenile delinquents. I would suggest to the gentleman that he sometime read the Act of 1945 and answer his own questions.

Mr. TOMPKINS. I have done that, Mr. Speaker, and that is why I am asking this question. I am trying to find out what the difference in the two acts is, what the purpose and reason for this particular bill is that is not already included in the Act of 1945.

Mr. READINGER. I can't answer the quqestion, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, do I understand the provisions of this bill cover all state-wide agencies, organizations, and so forth?

Mr. READINGER. I believe that is right, Mr. Speaker. On page 4 it says, "offer a recommended program of coordination among existing public and private institutions . . ."

Mr. TOMPKINS. Mr. Speaker, does this also cover other governmental agencies?

Mr. READINGER. Mr. Speaker, I am beginning to think the gentleman did not even read the bill.

On page 5 of the bill under subsection (e) it states: "To assist counties and local public and private agencies to establish research projects," and so forth.

I would say it allows cooperation and coordination with all institutions, public or otherwise, which deal with juveniles.

Mr. TOMPKINS. Mr. Speaker, specifically I would like to ask the gentleman, there are two institutions in this state, Huntingdon and White Hill, that are under the jurisdiction of the Department of Justice. Would this bill cover those two institutions?

Mr. READINGER. Mr. Speaker, to the extent of cooperating with them, yes, I would think it does. If there is any problem relating to prevention treatment and so forth of juvenile delinquency to the extent that the Department of Welfare could cooperate with any other existing state institutions, I believe it does provide for it.

Mr. TOMPKINS. Then, Mr. Speaker, the Welfare Department would be in a position under this bill, as I understand it, to go over and advise the Department of Justice how to operate Huntingdon and White Hill?

Mr. READINGER. No, I wouldn't say that, Mr. Speaker. I don't think it goes that far. I think it provides for cooperation.

I think the gentleman's question could best be answered by reading Section 2322, subsection (b) on page 3 of the bill, which says:

"The Department of Welfare shall have the power and its duty shall be . . .

(b) To offer consultation, guidance and assistance to public and voluntary agencies and institutions including the Juvenile Courts in developing strengthening and improving program for predisposition study probation supervision," and so forth.

That certainly would not entitle the Department of Welfare to go over and tell the Department of Justice how to run the affairs with which it is specifically charged. This is a cooperative bill.

Mr. TOMPKINS. Mr. Speaker, the present law provides, I believe, that the Department of Welfare has jurisdiction in operating institutions which are state subsidized —or at least controlled by it.

Mr. READINGER. I am sorry, Mr. Speaker, I did not hear the question.

Mr. TOMPKINS. Mr. Speaker, the present law provides for the jurisdiction of the Department of Welfare in institutions which are state aided, is that right?

Mr. READINGER. I believe so, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, would this bill extend that jurisdiction beyond state aided institutions and to private institutions?

Mr. READINGER. Mr. Speaker, this would allow the Department of Welfare to cooperate with any private agency dealing with the subject. It has nothing to do with only state aided institutions. I believe I read a minute ago it pertains to all public or private institutions which deal with juvenile delinquency.

Mr. TOMPKINS. Just one more question, Mr. Speaker. I don't want it to appear that I am trying to halt any good program that might be for the prevention of juvenile delinquency, I am trying to find out what this bill covers.

Should this bill perchance obtain the approval of this House, I would like to call the attention of the gentleman to the fact that the title does not contain any reference to the repealer which is contained in the bill, the title merely refers to it as an amendment and not as an added section. So for the preservation of the act I would like to call the Majority Leader's attention to that particular fact in order that the bill cannot later be defeated maybe for constitutional reasons.

Mr. READINGER. Mr. Speaker, I thank the gentleman for the suggestion and assure him that when it is passed over to the Senate we will have that matter checked thoroughly, and if that correction should be made it will be made.

Mr. TOMPKINS. Now, Mr. Speaker, just two more questions.

The SPEAKER. will the gentleman from Berks permit himself to be further interrogated to the extent of one more question?

Mr. READINGER. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I would like to know whether the Welfare Department has endorsed a bill which is in this House at the present time relating to the control of comic books?

Mr. READINGER. Mr. Speaker, I would have no knowledge whatsoever of whether the Department of Welfare endorsed any comic book regulation bill. It may have, but I have no knowledge of it.

Mr. TOMPKINS. Mr. Speaker, I would like to further inquire whether the Welfare Department has endorsed a bill which is now in this House relating to camps for juvenile delinquents?

Mr. READINGER. I have no knowledge of whether it has or not, Mr. Speaker.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, I am trying to find out exactly what this bill covers, and for the life of me I cannot quite figure it out because of the fact that the Act of 1945 provides as follows:

> "The Department of Welfare shall have the power and its duty shall be:
> . . . (c) To visit, study and evaluate conditions in communities throughout the Commonwealth, and advise local agencies as to organization and development of needed programs."

This all relates to juvenile delinquency and the prevention of crime.

It also provides that the Department of Welfare shall prepare and sponsor legislation bearing upon the many specific problems incident to crime prevention.

The reason I asked about the comic book control and the camps for delinquent children, they both seem to be in that direction and I am wondering whether the Welfare Department has endorsed those, too. Furthermore,

they already have the power to go out into the communities and advise and help them on problems of juvenile delinquency.

I am wondering what this bill has behind it that we cannot see on the surface, whether it is an extension of state control over a number of matters that we do not know anything about or whether it is an effort on the part of the Welfare Department to start advising a lot of private agencies that have existed over the years in a manner that, perhaps they have no right to at present. In other words, is this an attempt to extend the power of the state into private matters in a way that to me is abhorrent? I do not know. There is nothing on the surface of the bill that indicates any of that. With the power the Welfare Department now has under the Act of 1945, I am wondering about the necessity of this bill. Just what is there so magic about the state getting into something that is going to solve everything? Pretty soon the people will not have any reliance in themselves at all.

Just how far is this bill intended to go? I do not know, and I would like to have an answer to that before I vote on it. I would like to have some better information than has been forthcoming from the floor so far, and until I get such information I am going to be compelled to vote "no" on this bill in its present form.

Mr. READINGER. Mr. Speaker, I could not hear all the remarks the gentleman made, but I gathered he is perplexed as to the advisability and need for this legislation.

I am holding in my hand a small pamphlet entitled "Social Legislation" published by the Pennsylvania Citizens Association for Health and Welfare, a publication which we frequently receive. I believe it is a monthly or a weekly publication which deals particularly with social legislation. I would like to read one short paragraph on the front page of this, it is entitled, "Blueprint for Action on Delinquency."

> "House Bill 1618 makes the Department of Welfare a partner with local communities in an effort to provide adequate treatment and prevention facilities for juvenile delinquency. In essence, it sets up a broad framework for responsibility and action by the Department on this crucial social problem."

I think that is the answer to the gentleman's question. He knows, as we all know, that juvenile delinquency has been a growing problem in the Commonwealth of Pennsylvania as it has in many other states.

If the state of Pennsylvania were unwilling to participate in some small, perhaps but sensible way to help these local agencies which have been doing such a good job, but which cannot do the job entirely, if we were to withhold that help, I think we would not be legislating properly.

This bill I believe calls for a maximum expenditure of about $450 thousand for the next 18 months. If the gentleman thinks that is too much for the state of Pennsylvania to contribute to this great problem, then I am afraid I must disagree with him.

I believe on September 26th the Governor sent a message over to this House which was read and which is still available to every Member in which he outlined the problem which he hoped would be solved by this legislation. We cannot cure the entire situation, that is true, but we can certainly take as many steps in the right direction as this Citizens' Association states. I believe we are going in the right direction by passing this bill.

The SPEAKER. The Chair requests the gentleman from Armstrong, Mr. Helm, to preside.

MR. HELM IN THE CHAIR

Mr. LOPRESTI. Mr. Speaker, I am somewhat mystified also about the particular bill on which we are voting. It would seem to me that the old law contained all the provisions that the amended bill seeks to bring forth.

I, too, would like to have more details and more of the reasons why this particular bill is necessary. If there are things which the Department should have under legislation that are not now provided for, and this bill will provide them, I am for it. I can see no reason why we cannot have a full explanation of what we are attempting to correct, what existing deficiency we are trying to correct by this bill.

I agree with the gentleman from Cameron that we should have some specific reason for the bill. As I read it, I can see nothing in it that is not already in the law. Maybe I am missing something, maybe there is something in there that I am supposed to miss, and that is what I want to know.

Mr. READINGER. I would like to interrogate the gentleman from Cambria.

The SPEAKER pro tempore. Will the gentleman from Cambria, Mr. Lopresti, permit himself to be interrogated?

Mr. LOPRESTI. I shall, Mr. Speaker, but I have already pleaded ignorance so if he intends to get anything from me, I do not know how he will do it.

Mr. READINGER. I want to ask the gentleman, Mr. Speaker, whether there is anything in the present law allowing and directing the reimbursement of the counties and the departments of public welfare of cities of the first class for part of the net cost of maintenance, correction, re-education, rehabilitation and treatment of juvenile delinquents?

Mr. LOPRESTI. That I do not know and I do not have the full law before me. That is why I am pleading ignorance.

Mr. READINGER. Mr. Speaker, will the Gentleman then inform me why he states he sees nothing in this bill which is not covered by the present act?

Mr. LOPRESTI. Mr. Speaker, I was merely looking at the parts which were cut out and the parts which were added. The last part about reimbursement, whether that is already in the law, I do not know. I say I am pleading ignorance. I am not speaking against the bill. In the final analysis it might be a good bill, but I want to know why.

Mr. READINGER. Mr. Speaker, in view of the lack of information on the part of the gentleman from Cameron and the gentleman from Cambria, I would suggest that we pass this bill over and call it up at a later date at which time we can supply everybody with all the information they might desire.

The SPEAKER. If there is no objection, the Chair withdraws its decision as to this bill having been agreed to on third reading. The Chair hears none.

BILL PASSED OVER

There being no objection
House Bill No. 1618, Printer's No. 837,
was passed over at the request of Mr. Readinger.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence Nos. 156, 165 and 528.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a former Member from Luzerne County, during the session of 1937, Dr. A. J. Valibus.

BILLS ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 824, as follows:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing practical instruction in the operation of motor vehicles of pupils after leaving school in certain cases

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 Subsection (a) of section 1519 act of March 10 1949 (P. L. 30) known as the "Public School Code of 1949" amended January 8 1952 (P. L. 1857) is amended to read

Section 1519 Teaching of Safe Driving of Motor Vehicles (a) Any school district may provide for the teaching of safe driving of motor vehicles in the elementary and secondary schools of the district or in the secondary schools only in accordance with the standardized program established by the Department of Public Instruction In the case of pupils under the age of sixteen (16) years such instruction shall be limited to class room instruction by those who shall possess the qualifications prescribed by the State Council of Education practical instruction in the operation of motor vehicles may be provided for pupils who have left school before reaching the age of sixteen (16) or too soon thereafter to have been able to avail themselves of practical instruction out-of-school instruction shall be limited to children between their sixteenth and eighteenth birthdays In the case of pupils of the age of sixteen (16) years and over the instruction may include practical instruction in the operation of motor vehicles on the public highways or other places selected by the board of school directors or by the principal of the school where the instruction is given

* * *

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—67

Agnew,	Frost,	Light,	Steckel,
Ashton,	Gibb,	Markley,	Stoner,
Auker,	Goldstein,	McCann,	Strausser,
Banker,	Gramlich,	Metz,	Thompson,
Bell,	Hamilton, R. K.,	Mikula,	Tompkins,
Bower,	Hass,	Miller,	Toomey,
Brennan, A. P.,	Haudenshield,	Moody,	Varner,
Bullen,	Helm,	Moscrip,	Vaughan,
Comer,	Hocker,	Murphy,	Wall,
Connelly,	Johnson,	Ogilvie,	Waterhouse,
Cooper,	Jump,	Parry,	Weidner,
Davis,	Kent,	Price,	Wescott,
Donahue,	Knecht,	Rigby,	Wilt,
Down,	Kooker,	Royer,	Wood,
Erb,	Kratz,	Rubin,	Worley,
Ewing,	Kromer,	Sigman,	Ziegler,
Flint,	Leisey,	Smith, C. C.,	

NAYS—106

Adam,	Gelfand,	Monroe,	Scarcelli,
Amarando,	George,	Moran,	Schuster,
Anderson, M. S.,	Guss,	Muldowney,	Sherman,
Anderson, S. A.,	Heavey,	Mullen,	Smith, Wm. B.,
Barnatovich,	Holt,	Munley,	Snider,
Bazin,	Horst,	Murray, H. P.,	Stank,
Boies,	Isaacs,	Murray, J. J.,	Stebbins,
Bonner,	Jenkins,	Musto,	Stephens,
Boory,	Kamyk,	Naugle,	Stone,
Brennan, J. J.,	Kolankiewicz,	Needham,	Swartz,
Breth,	Kornick,	Olsen,	Taylor,
Bucchin,	Lawyer,	O'Neil,	Thomas,
Capano,	Leiby,	Pacchioli,	Toll,
Cioffi,	Leonard,	Pashley,	Varallo,
Curwood,	Levin,	Paulhamus,	Verona,
Dougherty,	Limper,	Petrosky,	Wallace,
Ehrgood,	Lippincott,	Pettigrew,	Walsh,
Eilberg,	Lopresti,	Polaski,	Wargo,
Eshleman,	Lovett,	Polen,	Welsh,
Farabaugh,	Lutty,	Pursley,	Wheeler,
Filo,	Maxwell,	Readinger,	Whitenight,
Fineman,	McCormack,	Reibman,	Willaredt,
Floyd,	McGee,	Renwick,	Williams,
Flynn,	McLaughlin,	Rosen,	Yetzer,
Frank,	McWherter,	Rovansek,	Andrews,
Frascella,	Meholchick,	Rudisill,	Speaker
Garlock,	Mihm,	Sarraf,	

NOT VOTING—37

Blair,	Gaffney,	Jones, T. H. W.,	McKeever,
Branca,	Gibson,	Kehler,	Mills,
Breisch,	Greenwood,	Keller,	Murray, P. G.,
Brenninger,	Guthrie,	Kline,	Pomeroy,
Brown,	Hamilton, W. H.,	Kubacki,	Reidenbach,
Cianfrani,	Henzel,	Lafore,	Spencer,
Cochran,	Hewitt,	Magee,	Stevenson,
Donaldson,	Houk,	Mahan,	Stroup,
Foster,	Jones, G. E.,	McInroy,	Yetter,
			Young,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection
House Bill No. 1116, Printer's No. 978,
was passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1390, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania excluding income taxes and taxes upon the transfer of property from a decedent from requirement of uniformity and limiting the rate and use of proceeds of income taxes

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania is proposed in accordance with the provisions of the eighteenth article thereof

That section one article nine of the Constitution of the Commonwealth of Pennsylvania be amended to read

Section 1 All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institu-

tions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines Uniformity shall not be required in the case of income taxes and taxes upon the transfer of property passing from a decedent which may be graded or graduated and provide for exemptions but all taxes shall be levied and collected under general laws

The highest rate of any income tax shall not exceed six per centum of the amount of income to which the tax rate is applied The proceeds of income taxes after providing for cost of administration and collection shall be appropriated by the General Assembly to agencies of the State and political subdivisions and used solely for public assistance public health and welfare and for the maintenance and support of the public schools and costs and expenses incident thereto and for the payment of obligations incurred for grounds and buildings and equipment for public school purposes The proceeds of income taxes shall not be diverted by transfer or otherwise to any other purpose except that loans may be made by the State from the proceeds of such taxes and fees for a single period not exceeding eight months but no such loan shall be made within the period of one year from any preceding loan and every loan made in any fiscal year shall be repayable within one month after the beginning of the next fiscal year.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I think this bill deserves just a brief comment before being voted on. It is a joint resolution proposing an amendment to Section I, Article 9 of the Constitution, which is the uniformity clause of our Constitution. Briefly the bill or the resolution would allow the imposition of a graduated income tax as well as a graduated inheritance tax. The matter has been before the public, I believe, on four different occasions in the past and has always been defeated.

This question is whether or not we should have in Pennsylvania a graduated income tax. Many of us on this side believe that we should have and that it is the most equitable manner in which funds can be raised to finance the Commonwealth.

I might point out to you that something new has been added to this resolution in that it has a maximum rate of six per cent. Under the resolution, if it were adopted by the people, the Legislature could not have an income tax rate in excess of six per cent. All of the money would have to be devoted to welfare, public assistance, education and I forget the fourth category.

I am hoping that the Members will see fit to vote for this bill. Last week I agreed to the amendments submitted by Mr. Auker, which would also include a graduated inheritance tax. I think too, that is a wise provision and it is my hope that the Membership will vote for this bill.

Mr. AGNEW. Mr. Speaker, I wish to debate this bill and give my reasons for voting against it, which are my reasons for voting against any sort of a state wage or income tax.

The Democratic party has tried unsuccessfully to impose a classified income tax on the people of Pennsylvania. We have on the calendar today this bill which calls for a constitutional amendment permitting a graduated income tax in Pennsylvania.

This bill is sponsored by the Captain and the Lieutenant of the Democratic House command. Last week a bill was submitted by the ranking Democrat in this House proposing a percentage tax on the amount of federal income tax. If all of these proposals fail as they must, is there any question in anyone's mind that the Democrats will propose a flat wage tax.

The Democratic party is the wage tax party in Pennsylvania. So desperate are the Democrats for some sort of a wage tax that they are outdoing each other with bigger and better plans to tax the income of the average Pennsylvanian.

The Legislative mask of hypocrisy has been ripped off and exposed to full view the grim determination of the wage tax party to confiscate more of the income of the average Pennsylvania citizen.

You Democrats have some idea that with a wage tax you can soak the rich. In their anxiety to accomplish this, they overlook two things. One, there are no rich people any more. Two, those who do have large incomes are very well taken care of by the federal government.

If the federal government confiscated all income in excess of $10,000 there would only be enough additional money to operate the federal government for five days. Ninety-eight per cent of the people in this country have incomes of $10,000 a year or less. Two per cent have incomes of more than $10,000. So the average man pays the great bulk of federal taxes. The average man in Pennsylvania will pay the great bulk of state taxes, no matter what kind of a broad base tax we pass.

Those with large incomes in Pennsylvania are not, I repeat, not opposed to the graduated income tax. A man in the highest state bracket under this bill, six per cent, may pay $3,000 to the state and deduct almost all of it on his federal income tax return. Because those with large incomes always itemize deductions.

The average man does not itemize deductions and the one per cent he pays comes entirely out of his pocket. The man with a large income taking advantage of his federal income tax deduction will not pay six per cent out of his pocket but it will be approximately the same one per cent. The big man and the little man will each pay about one per cent.

For all practical purposes the federal income tax prohibits a graduated income tax in Pennsylvania. The Republican party wants the rich man to pay his fair share of the state taxes according to his ability. The Democratic party apparently does not.

When we talk of state taxes, we must take into consideration the impact of the heavily graduated federal income tax. Listen to this example. A man with a wife and two children making $350 a month, pays in federal taxes $360 a year, or more than one month's gross pay. In addition half the people in Pennsylvania pay a local wage tax.

Recognizing this fact, no state since 1937 has imposed an income tax of any kind. Members of the Majority, the federal government has preempted the income tax field.

These are some of the reasons why the people in Pennsylvania are overwhelmingly opposed to a state wage tax of any kind. Is there one Member in this House who believes that the people of Pennsylvania will vote for a constitutional amendment permitting a graduated income tax? As Representatives of the people why don't we vote the way the people want us to vote? But the

party of Davy Lawrence, the wage tax king, and the party of George Leader, the wage tax crown prince, is the wage tax party in Pennsylvania. The wage tax party has a temporary majority in this House.

Let the people of Pennsylvania remember, and remember well, the Republican party is the anti-wage tax party in Pennsylvania.

Mr. LOVETT. Mr. Speaker, I want to make a few remarks about this particular piece of legislation.

If you noticed the past few days I have been wondering why we passed this bill over. I didn't think we had a Republican on the other side of this House who would vote against this particular bill.

I recall back one session or so ago that we had in this House a bill calling for a constitutional convention. I listened very attentively to the gentleman, Mr. Davis, the Admiral on the other side of the House, explain to this House that we had a means of amending the constitution in Pennsylvania. I must say that to some extent the words of wisdom of the Admiral sank in. I just wonder if the Admiral is here in the House today, because I intend to interrogate the Admiral a little later on.

The gentleman that spoke prior to me called the Democrats the wage tax party in Pennsylvania. I have pointed out quite a number of times in this House that the only wage tax you have in Pennsylvania is the Republican wage tax. You have the Sterling Act which was enacted by the Republicans. That was enacted by the Republicans with the Democrats trying their best to defeat it.

Now let us be fair and honest about the thing. Let us look at the record, as my old friend Al Smith used to say, and be honest, and admit that the Republican party is the only party that has given us wage taxes in Pennsylvania.

As to this particular amendment to the constitution, I must somewhat disagree with my Floor Leader. I don't think to my knowledge the people of Pennsylvania have ever had before them a vote on just an amendment to the constitution, to give us the right of a graduated income tax in Pennsylvania. It has always been tied on in some other way or some other form.

This six per cent limit that is on this, I will go along with but I don't think we should. Let me just read you a little clipping out of a very good Republican newspaper, one of the Harrisburg papers, which said during the debate on Governor Leader's classified income tax—It is short and to the point:

> We are not against the Governor's proposed taxes because we think the sales tax is great.
>
> We are against it because of its manifest unfairness to thousands of Pennsylvanians.
>
> We're not against it because we're out to protect the "big buck" boys.
>
> If we were out to protect the "fat cats," as the labor politicians call them, we wouldn't be urging—as we have now for several years—that as soon as possible a graduated income tax be made possible for the Commonwealth. Then the "fat cats" really would get clipped with a lion's share of the tax load. The really big incomes could be taxed at a lot higher rates than the highest one the Governor now proposes. We don't think that's unfair. That's real honest-to-gosh "ability to pay."
>
> Rule out the Governor's proposals, and only an absolutely flat income levy or a sales tax is left. Until such time as a graduated income tax can be placed before the people again in a constitutional amendment and, we believe, get their okay, we feel that a sales tax would be the best and fairest for all Pennsylvanians.

Now my friends, I say to you again, when is the Senate of Pennsylvania going to give the people of Pennsylvania the right to amend the Constitution in the way that the Admiral, Mr. Davis, suggests.

May I ask at this particular time permission to interrogate the Admiral, Mr. Davis?

The SPEAKER pro tempore. Will the gentleman from Forest, Mr. Davis, permit himself to be interrogated?

Mr. DAVIS. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, if I am not asking too much would the gentleman kindly tell me if he is going to vote for or against this bill.

Mr. DAVIS. I shall probably vote against this bill.

Mr. LOVETT. I thank the gentleman.

Mr. SPEAKER. If I may, without getting away from the question at hand, we passed a resolution in this House during an early stage in the session, which dealt with a constitutional amendment. Am I out of order if at this time I refer to that in regard to this legislation?

The SPEAKER pro tempore. The gentleman is out of order if it does not apply to the question before the House.

Mr. LOVETT. Would the Speaker please give me the right after this measure has been passed to make a statement in regard to that legislation?

The SPEAKER pro tempore. Without objection from the House the Chair will recognize the gentleman from Westmoreland at that time.

Mr. LOVETT. Mr. Speaker, why does the Admiral admit that he is going to oppose this legislation? He has voted at times for constitutional amendments. He has done so within the last session and a bill that he voted for to amend the constitution is somewhere in the Senate of Pennsylvania.

Would the Admiral agree with me that if the Members of the House of Representatives support legislation with a large majority, then would he go along with me over to the Senate of Pennsylvania and ask the Senators to please give some consideration to the legislation which the House passed? Would the gentleman agree to do that?

Mr. DAVIS. I would say to the gentleman from Westmoreland that I represent a constituency, and I vote exactly in line with what my constituents want, as near as I can figure out their wishes, and in voting against this I am merely reflecting what my constituency wants me to do. I believe that is perfectly in accord with good constitutional procedure.

Mr. LOVETT. Mr. Speaker, does the gentleman believe that when the House of Reprsentatives by a large majority passes legislation that the Senate should give consideration to that legislation, especially when it is legislation giving the people of Pennsylvania the right to vote on that legislation?

Mr. DAVIS. I would say that is solely a matter within the province of the Senate. It is their problem to determine their own course just as over here it is our problem.

Mr. LOVETT. I thank the gentleman, Mr. Speaker, for his very frank remarks.

I say again to you when, oh when are we going to quit boondoggling? When is this House going to quit shadow boxing? We have passed amendments before to the Constitution for a graduated income tax, they went over to the Senate in Pennsylvania and there they stayed. The people never get the opportunity to vote for these amendments to the constitution.

The Admiral believes that the people should have that right. He debated that issue here on the floor and I agreed somewhat with him, that that was the proper method to solve the amendments to the constitution, but I say to you that if the Senate of Pennsylvania would give the people the right to bring our Constitution out of the stone age, bring it up to date and give us at least the right to amend our constitution, then we would not be here struggling, struggling month after month in order to solve a tax program.

I was for the Leader Tax Program because I said at that time it was a fair and honest program until we have the opportunity to have a graduated income tax in Pennsylvania by one means or another. I do not think that is good for Pennsylvania. I pointed out before that every labor organization, every newspaper, every commission that we set up comes back and says we should have a graduated income tax in Pennsylvania. So my friends, today I ask you to join with me and pass this. I realize that it has to pass another session of the legislature. Our Senate would possibly kill it this time, but we will pass it two years from now and they will kill it again. That is the boondoggling. Let us get something from the Senate of Pennsylvania, let us ask them to be men and not just stand over there and think because they oppose this that the people of Pennsylvania have no rights.

My friends, I hope there is not a Republican in this House that will vote against this amendment to the constitution. We are for, always have been for, and always will be for a graduated income tax fair to the people of Pennsylvania.

Mr. WATERHOUSE. Mr. Speaker, I would just like to correct the gentleman on a couple of statements that he made.

One of them was that all of the wage taxes that were being imposed in the state were Republican taxes. I would like to correct him in as much as Pittsburgh enacted a wage tax, and certainly Dave Lawrence is not a Republican.

Further, he referred to the Sterling Act and Act 481. Neither one of these acts imposed a wage tax. They merely permitted these political subdivisions to impose a tax or taxes that were not already imposed by the Commonwealth. Now if these councilmen or commissioners or what have you in the political subdivisions did impose an objectionable tax in the next election they certainly could get them out of office, which is merely home rule, so I do not think that he can term any of these taxes that I know of at least, as Republican wage taxes. Certainly the City of Erie imposed one and that is Democratic too.

Mr. GOLDSTEIN. Will the gentleman from Westmoreland consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Westmoreland, Mr. Lovett, permit himself to be interrogated?

Mr. LOVETT. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Is it not true, Mr. Speaker, that the proposed Constitutional amendment allows unlimited taxation rates with reference to inheritance taxes?

Mr. LOVETT. The present, Mr. Speaker?

Mr. GOLDSTEIN. The proposed resolution to be submitted to the people, Mr. Speaker?

Mr. LOVETT. As I understand, Mr. Speaker, the amendment to this particular bill would graduate the inheritance tax the same as it graduates the income tax.

Mr. GOLDSTEIN. Mr. Speaker, first of all we know that the power to tax is the power to destroy. We also know this particular bill is submitted as a compromise, because the people of Pennsylvania would not vote for an unlimited taxation power with relation to lack of uniformity. Therefore, the six per cent clause was added.

If that were the only feature of the bill, I believe that in order to solve our continuous dilemmas in this state I could be for the Constitutional amendment because the people would then say whether they desire a tax of that character.

But, coupled with this bill is a provision that lack of uniformity shall not apply to transfer inheritance taxes. Let me show you the evil of that provision and the reason why the addition of said provision will make this particular Constitutional amendment fall before the people

Under this Constitutional amendment, as I read it, the lack of uniformity not applying to inheritance taxes, the state Legislature could pass legislation taxing an estate in the hundred thousand dollar bracket at the rate of 40 per cent, and an estate in the five thousand dollar bracket at the rate of 2 per cent.

What is the result of this? If you are familiar with the Federal Estate Tax you may be taxed at the rate of 35 to 40 per cent in that bracket by the federal government and you will also be taxed by the State of Pennsylvania at a similar rate and the credit allowed to you under the Federal Estate Law may be seven or eight hundred dollars.

I say to you, and I say this sincerely, that when the gentlemen on the other side permitted this amendment to be added to their proposed six per cent Constitutional amendment, they were merely fooling the people. Because they are not submitting a clear cut issue to the people of this Commonwealth, and feeling, as I do, that the six per cent issue should have been resolved as a unit and there should have been no rider regarding inheritance tax with the unlimited right to tax estates, I am compelled to vote against this particular resolution and I think that anybody who studies the issue will agree with me.

Mr. LOVETT. Mr. Speaker, I might say to the gentleman from Allegheny that the amendment that was offered to this bill was offered on his side of the House, not on our side of the House.

I admit that I did not pay too much attention to the amendment when it was offered. I thought that the six per cent would apply. I find now that it does not. I was willing to go along on the amendment. My idea in the first place was an outright amendment to the Constitution, written out in plain language to the people of Pennsylvania, for a graduated income tax in Pennsylvania with no strings attached. That is what I have said has been

wrong with it. But in order to get by, get some help. try to get some form of taxation I am willing to go along so that we would not be here month after month trying to solve the tax program.

My friend, Mr. Waterhouse, made the statement that Dave Lawrence put a tax on in Pittsburgh, they put a tax on in Erie. Mr. Speaker, my own borough was among one of the very first to put a wage tax on; a Demacratic council. When I went back home after the session of the Legislature, the councilmen said to me,—

POINT OF ORDER

Mr. McCORMACK. I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McCORMACK. Mr. Speaker, the bill under discussion is the proposed amendment to the constitution and any reference to wage taxes or what councilmen have said is not in order, I submit, at the present time.

The SPEAKER pro tempore. The gentleman's point of order is well taken, and the Member will confine their discussion to the merits of the bill.

Mr. LOVETT. Mr. Speaker, I will be only too glad to confine my remarks to the bill. I do however think that it is unfair to allow other people to get up and talk all they want about wage taxes, and then say that I must confine my remarks to the bill before the House.

The SPEAKER pro tempore. The Chair will remind the gentleman that the point of order was raised by another Member of the House.

The gentleman will proceed.

Mr. LOVETT. Mr. Speaker this is a very important piece of legislation to my mind. I know it is late, I am just as tired as anybody else in this session of the Legislature is, but I feel it is so important that we should impress upon the Senate of Pennsylvania that they should at some time give the people the opportunity to vote on whether or not we have a graduated income tax in Pennsylvania.

Mr. FROST. Mr. Speaker, I have no objection to permitting the people of Pennsylvania to vote on a graduated income tax, I have no objections to permitting the people to vote upon a graduated inheritance tax, but they are two different questions.

It is true they are both taxes, but nevertheless they are different classes of taxes. I believe one issue is going to cloud the other issue and is going to influence either for good or bad the other issue.

I think we ought to have here two distinct and separate resolutions, one on the graduated income tax and one on the graduated inheritance tax. I am opposed to it as it is, not that I do not want it to go before the people, but because I think there should be two different resolutions. There are two distinct questions.

Mr. AUKER. Mr. Speaker, I find myself on the floor of the House advocating the passage of an act or bill which most of my side of the House will probably vote against and the Majority side of the House will vote for it.

I had not intended to speak on it until the question of the inheritance tax amendment came into the discussion. It is a part of the bill.

I want to say to the Members of this House that I am really sincere in that amendment. I feel that if any change in the Constitution of Pennsylvania is needed, even more so than to give the people the right to vote on a graduated income tax, it is to give them the right to vote on a graduated in heritance tax.

I am not afraid of the thinking of the people of Pennsylvania. I am not afraid of the thinking and the voting of the Members of the Legislature of Pennsylvania, even if such an amendment would pass, as to voting confiscatory taxes on inheritance. We are about the only state—I think there are three or four states in the union that do not have graduated inheritance taxes. We tax the poor widow and children who only inherit maybe $2 or $5 thousand at the same rate that we tax the millionaire who inherits $1 million or $100 thousand, or $150 thousand. I am thinking of the poor widows and children who have to pay the same rate as the more wealthy people have to pay.

Nobody has moved out of other states into this state because of graduated inheritance taxes in other states. As a matter of fact, I think if you will search the records carefully you will probably find them moving out of this state into other states where they do have graduated inheritance taxes.

Therefore, I sincerely ask the Members of this House to vote for the entire bill.

Mr. ZIEGLER. Mr. Speaker, with respect to House Bill 1390, a Joint Resolution, I would like to state that I am going to vote in favor of this joint resolution. I am very mindful of the fact, and I want to specifically state, that I would not vote in favor of a graduated income tax.

The resolution as it is today I do not think is in very good condition. It carries two features, the income tax and the inheritance tax. I do think they should be separate, but I am voting for this resolution for just one purpose, and that is if it passes today and if it subsequently passes it will give the people of Pennsylvania the opportunity to say whether or not they wish graduated inheritance tax.

At the same time I want to say that if and when it ever comes to a referendum I will just as vigorously oppose the passage of it.

Mr. AGNEW. Mr. Speaker, briefly I would repeat for the benefit of the gentleman from Westmoreland that those to whom he referred as "fat cats" are not opposed to a graduated income tax bill in Pennsylvania.

I would ask him to listen very carefully to what I have to say. The man with a large, a very large, income who would pay perhaps $3 thousand to the state under a graduated income tax in a six per cent bracket will pay more than $2,700 less to the Federal Government, so that out of his pocket that $3 thousand to the state will cost him less than $300. He is not paying six per cent, he is paying one-half of one per cent, and the little man making between $4 and $10 thousand a year will pay a full one per cent.

Those are facts, and we cannot have any tax program in this state that does not take into consideration the impact of the heavily graduated income tax.

I will agree with the gentlemen on my side of the House, Mr. Frost and Mr. Ziegler, that I have no objection to letting the people of Pennsylvania vote on this subject or on any other subject, but in respect to this matter why waste their time?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Adam,	Gelfand,	Moody,	Sigman,
Amarando,	Guss,	Moran,	Smith, C. C.,
Anderson, M. S.,	Hamilton, R. K.,	Muldowney,	Smith, Wm. B.,
Anderson, S. A.,	Hass,	Mullen,	Snider,
Auker,	Heavey,	Munley,	Stank,
Barnatovich,	Hocker,	Musto,	Stebbins,
Bazin,	Holt,	Needham,	Steckel,
Boies,	Jenkins,	Ogilvie,	Stephens,
Bonner,	Jones, G. E.,	Olsen,	Stone,
Boory,	Kamyk,	O'Neil,	Stoner,
Bower,	Knecht,	Pacchioli,	Strausser,
Brennan, A. P.,	Kolankiewicz,	Pashley,	Swartz,
Brennan, J. J.,	Kornick,	Paulhamus,	Taylor,
Breth,	Kromer,	Petrosky,	Thomas,
Bucchin,	Kubacki,	Pettigrew,	Toll,
Capano,	Lawyer,	Polaski,	Varallo,
Cioffi,	Leonard,	Polen,	Varner,
Comer,	Leven,	Price,	Vaughan,
Curwood,	Limper,	Readinger,	Verona,
Donahue,	Lopresti,	Reibman,	Wallace,
Dougherty,	Lovett,	Reidenbach,	Walsh,
Eilberg,	Lutty,	Renwick,	Wargo,
Farabaugh,	Markley,	Rigby,	Welsh,
Filo,	Maxwell,	Rosen,	Wheeler,
Fineman,	McCann,	Rovansek,	Whitenight,
Flint,	McCormack,	Rubin,	Williams,
Floyd,	McGee,	Rudisill,	Worley,
Flynn,	McLaughlin,	Sarraf,	Yetter,
Frank,	McWherter,	Scarcelli,	Yetzer,
Frascella,	Meholchick,	Schuster,	Ziegler,
Gaffney,	Mihm,	Sherman,	Andrews,
Garlock,	Monroe,		Speaker

NAYS—46

Agnew,	Ewing,	Kooker,	Parry,
Ashton,	Foster,	Leisey,	Pursley,
Banker,	Frost,	Light,	Thompson,
Bell,	Gibb,	Lippincott,	Tompkins,
Blair,	Goldstein,	Metz,	Toomey,
Bullen,	Haudenshield,	Mikula,	Wall,
Connelly,	Helm,	Miller,	Waterhouse,
Cooper,	Horst,	Moscrip,	Weidner,
Davis,	Isaacs,	Murphy,	Wescott,
Down,	Johnson,	Murray, H. P.,	Wilt,
Erb,	Jump,	Naugle,	Wood,
Eshleman,	Kent,		

NOT VOTING—38

Branca,	Gramlich,	Kline,	Murray, J. J.,
Breisch,	Greenwood,	Kratz,	Murray, P. G.,
Brenninger,	Guthrie,	Lafore,	Pomeroy,
Brown,	Hamilton, W. H.,	Leiby,	Royer,
Cianfrani,	Henzel,	Magee,	Spencer,
Cochran,	Hewitt,	Mahan,	Stevenson,
Donaldson,	Houk,	McInroy,	Stroup,
Ehrgood,	Jones, T. H. W.,	McKeever,	Willaredt,
George,	Kehler,	Mills,	Young,
Gibson,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, I realize that it is late, but to me I have waited and waited at times to make statements, and I think the proper time is here.

I promise not to delay too long. I appreciate the opportunity that you give me at this time, but I just want to call to your mind that House Bill 55, Printer's No. 27, passed the House finally on February 28, 1955. The vote on that particular bill, an amendment to the Constitution, was 179 votes for, 8 against, and 23 not voting.

That bill provided for an annual session of the Legislature. I might say to my friend, Mr. Davis, the Admiral, I found that he supported that bill when it passed the House of Representatives. For that reason I take it that his people are in favor of annual sessions of the Legislature.

May I interrogate Mr. Davis at this time.

The SPEAKER pro tempore. Will the gentleman from Forest, Mr. Davis, permit himself to be interrogated?

Mr. DAVIS. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, if the statements I have made are true in regard to the gentleman's vote on annual sessions, would he then go along with me to the Senate of Pennsylvania and try to persuade, or try to influence, or try to have, the Chairman of the Committee and the Senate as a whole take some action on this amendment to the Constitution? If it fails at this time, we will then have to wait two more years?

Mr. DAVIS. Mr. Speaker, I must respectfully submit to the gentleman it is still my contention that that is a matter solely within the province of the Senate and I do not believe it would be fitting to journey on such a course as that.

Mr. LOVETT. I thank the gentleman, Mr. Speaker.

I say again to you Members of the House, when, oh when, is the Senate of Pennsylvania going to allow my good friend, the Admiral, Mr. Davis, . . .

The SPEAKER pro tempore. The gentleman will suspend. The gentleman is not permitted to criticize the actions of the Senate on the floor of this House in a matter that is not before them or us. It is an indipendent branch of this legislative body.

Mr. LOVETT. Mr. Speaker, if I have committed that error, I apologize, but I do not feel that in asking the Senate of Pennsylvania I am criticizing the Senate of Pennsylvania.

The SPEAKER pro tempore. The gentleman did criticize the Senate of Pennsylvania in his remarks to the House.

Mr. LOVETT. Mr. Speaker, I apologize if I have criticized in my remarks.

The SPEAKER pro tempore. The gentleman will continue with his remarks.

Mr. LOVETT. But I say again, Mr. Speaker, when, oh when, under Mr. Davis' program of amending the constitution will the Senate allow that to happen?

ANNOUNCEMENT

Mr. READINGER. Tomorrow's session will be a consent calendar session. It is obvious to everyone that without hotel accommodations many of the Members must go home tonight and will not be here tomorrow.

We are planning to meet next Monday at the usual time. How many Members will be here is anybody's guess in view of the hotel situation. However, since the Senate of Pennsylvania has decreed that we must come back, we will return on Monday.

I would also like to announce that following a motion I am about to make concerning a certain House Bill we expect to close for the day and not take up any more bills today.

SPECIAL ORDER HOUSE BILL NO. 257

Mr. READINGER. Mr. Speaker, I move that House Bill No. 257 on page 23 on today's calendar, bills on third reading, be made a special order at this time.

The motion was agreed to.

The SPEAKER pro tempore. The Chair lays before the House the special order fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 257, entitled:

An Act amending the act of April 12 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the person engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" authorizing licensed establishments to sell until two o'clock antemeridian on Sundays

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—59

Adam,	Kamyk,	Munley,	Scarcelli,
Amarando,	Knecht,	Musto,	Schuster,
Barnatovich,	Kubacki,	Olsen,	Sherman,
Bazin,	Limper,	Pacchioli,	Sigman,
Boies,	Lutty,	Pashley,	Smith, Wm. B.,
Brennan, J. J.,	Markley,	Petrosky,	Stank,
Breth,	McCormack,	Pettigrew,	Steckel,
Bucchin,	McLaughlin,	Polaski,	Taylor,
Comer,	Meholchick,	Readinger,	Varallo,
Eilberg,	Metz,	Reibman,	Wargo,
Floyd,	Mihm,	Renwick,	Weidner,
Frascella,	Monroe,	Rosen,	Welsh,
Gaffney,	Moran,	Rubin,	Williams,
Holt,	Muldowney,	Sarraf,	Yetzer,
Jenkins,	Mullen,		

NAYS—106

Agnew,	Fineman,	Leven,	Stebbins,
Anderson, M. S.,	Flint,	Light,	Stephens,
Anderson, S. A.,	Flynn,	Lopresti,	Stevenson,
Ashton,	Frank,	Lovett,	Stone,
Auker,	Frost,	McCann,	Stoner,
Banker,	Garlock,	McGee,	Strausser,
Bell,	Gelfand,	Mikula,	Swartz,
Blair,	Gibb,	Miller,	Thomas,
Bonner,	Goldstein,	Moody,	Thompson,
Boory,	Guss,	Moscrip,	Toll,
Bower,	Hamilton, R. K.,	Murphy,	Tompkins,
Brennan, A. P.,	Hass,	Murray, H. P.,	Toomey,
Bullen,	Haudenshield,	Naugle,	Varner,
Capano,	Heavey,	Needham,	Vaughan,
Cioffi,	Helm,	Ogilvie,	Verona,
Connelly,	Hocker,	O'Neil,	Wall,
Cooper,	Johnson,	Parry,	Walsh,
Curwood,	Jones, G. E.,	Paulhamus,	Waterhouse,
Davis,	Jump,	Polen,	Wescott,
Donahue,	Kent,	Price,	Wheeler,
Dougherty,	Kolankiewicz,	Pursley,	Whitenight,
Down,	Kooker,	Reidenbach,	Wilt,
Erb,	Kornick,	Rigby,	Wood,
Eshleman,	Kromer,	Rovansek,	Worley,
Ewing,	Lawyer,	Rudisill,	Yetter,
Farabaugh,	Leisey,	Smith, C. C.,	Ziegler,
Filo,	Leonard,	Snider,	Andrews, Speaker

NOT VOTING—45

Branca,	Gramlich,	Keller,	McWherter,
Breisch,	Greenwood,	Kline,	Mills,
Brenninger,	Guthrie,	Kratz,	Murray, J. J.,
Brown,	Hamilton, W. H.,	Lafore,	Murray, P. G.,
Cianfrani,	Henzel,	Leiby,	Pomeroy,
Cochran,	Hewitt,	Lippincott,	Royer,
Donaldson,	Horst,	Magee,	Spencer,
Ehrgood,	Houk,	Mahan,	Stroup,
Foster,	Isaacs,	Maxwell,	Wallace,
George,	Jones, T. H. W.,	McInroy,	Willaredt,
Gibson,	Kehler,	McKeever,	Young,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. MORAN asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

Mr. PETROSKY asked and obtained permission for the Committee on Highways to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. AMARANDO from the Committee on Liquor Control, reported as amended, House Bill No. 68, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," authorizing the transfer of certain retail licenses to clubs wthout effectng the number of lcenses thereafter granted in any municipality.

Mr. LAWYER from the Committee on Judiciary, reported as amended, House Bill No. 986, entitled:

An Act relating to chattel mortgages executed and filed prior to July 1, 1954, regulating the assignment, release, satisfaction and extension of the lien of mortgages, and the filing, indexing and docketing thereof in prothonotaries' offices; prescribing methods of foreclosure; defining defaults and violations; prescribing prothonotaries' fees; and fixing penalties.

Mr. LAWYER from the Committee on Judiciary, reported as amended, House Bill No. 1002, entitled:

An Act relating to conditional sales made prior to July 1 1954.

Mr. HEAVEY from the Committee on Highways, reported as amended, House Bill No. 1311, entitled:

An Act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs, incorporate towns, and townships for their road, street and bridge purposes; conferring powers and imposing duties on local officers and the Department of Highways; and making an appropriation out of the Motor License Fund.

Mr. TOLL from the Committee on Judiciary, reported as committed House Bill No. 1507, entitled:

An Act amending, revising, clarifying and changing the act of April 6, 1953 (P. L. 3), entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, documentary letters of credit, bulk transfers, warehouses receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel paper, and contract rights; providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions, contracts or documents, and to make uniform the law with respect thereto."

Mr. MURPHY from the Committee on Labor Relations, reported as committed, House Bill No. 1768, entitled:

An Act regulating settlement of labor disputes between public utility employers and ther employes, and providing the procedure therefor; repealing certain acts.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1652

Commonwealth of Pennsylvania,
Governor's Office, Harisburg, September 27, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this way approved and signed House Bill No. 1652, Printer's No. 730, entitled "An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds."

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that this House do now adjourn until Wednesday, September 28, 1955 at 10:00 a. m. EST.

The motion was agreed to, and (at 7:10 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., WEDNESDAY, SEPTEMBER 28, 1955. No. 94.

SENATE

WEDNESDAY, September 28, 1955.

The Senate met at 9:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E Furman) in the Chair.

PRAYER

The Chaplain, Rev. JOHN HENRY FRIZZELL, Chaplain Emeritus of the Pennsylvania State University, offered the following prayer:

O God, our Heavenly Father, stop us for just a minute of prayer. Stop our minds from wandering and our hearts from desiring anything but to find out what is Your will. Let us stand at attention for a minute before You and hear what You have got to say to us.

Help us to believe that You can tell us not only what to do but how to do it. If it means making up our minds. You, who made our minds in the first place, can show us how to make them up. If it means changing our minds, You can work even that miracle.

O Lord, we ask Thee to speak to us and help us to hear You, not so much for ourselves as for those whose servants we are. In Thy Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal on the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WADE and Mr. HAYS, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 117, PRINTER'S No. 23.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 117, Printer's No. 23, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE M. LEADER.

The PRESIDENT. The bill will be laid on the table.

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 593, PRINTER'S No. 218.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 593, Printer's No. 218, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE M. LEADER.

The PRESIDENT. The bill will be laid on the table.

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 595, PRINTER'S No. 219.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 595, Printer's No. 219, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE M. LEADER.

The PRESIDENT. The bill will be laid on the table.

APPROVED AND SIGNED SENATE BILL No. 126, PRINTER'S No. 83.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 126, Printer's No. 83, entitled "An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended 'An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board

for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment' authorizing certain political subdivisions to take part in appeals through their solicitors or special counsel."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL No. 142, PRINTER'S No. 134.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 142, Printer's No. 134, entitled "An Act amending the act of May 2, 1949 (P. L. 872) entitled 'An act granting credit toward pension or retirement benefits of certain members of the police force employed by political subdivisions for time spent in military service of the United States' granting credit for military service during armed conflicts."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL No. 146 PRINTER'S No. 27

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 146, Printer's No. 27, entitled "An Act amending the act of June 11 1935 (P. L. 326) entitled 'An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records' extending the definition of 'deceased service persons' to include service personnel serving in an armed conflict."

GEORGE M. LEADER

APPROVED AND SIGNED SENATE BILL No. 199 PRINTER'S No. 38

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 199, Printer's No. 38, entitled "An Act amending the act of July 28, 1953 (P. L. 723) entitled 'An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto' extending the definition of 'deceased service persons' to include service personnel serving in an armed conflict."

GEORGE M. LEADER

APPROVED AND SIGNED SENATE BILL No. 200, PRINTER'S No. 39

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 200, Printer's No. 39, entitled "An Act amending the act of June 4 1937 (P. L. 1625) entitled 'An act providing for the creating maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties' extending retirement benefits to veterans of armed conflicts."

GEORGE M. LEADER

APPROVED AND SIGNED SENATE BILL No. 203, PRINTER'S No. 40

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 203, Printer's No. 40, entitled " An Act amending the act of May 2, 1929 (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' extending the definition of 'deceased service persons' to include service personnel serving in an armed conflict."

GEORGE M. LEADER

APPROVED AND SIGNED SENATE BILL No. 254, PRINTER'S No. 230

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 254, Printer's No. 230, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace and courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing cer- of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by further regulating the maximum length of truck tractor and semi-trailer combinations carrying motor vehicles."

GEORGE M. LEADER

APPROVED AND SIGNED SENATE BILL No. 290, PRINTER'S No. 210

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 290, Printer's No. 210, entitled "An Act amending the act of June 12 1919 (P. L. 466) entitled 'An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry

raising beekeeping and horticulture' changing the required contents of the articles of association providing for additional methods in electing directors changing the vote for amendment of articles and dissolution of association and eliminating auditing committee service in certain cases."

GEORGE M. LEADER

APPROVED AND SIGNED SENATE BILL No. 331, PRINTER'S No. 165

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 331, Printer's No. 165. entitled " An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania."

GEORGE M. LEADER

APPROVED AND SIGNED SENATE BILL No. 408, PRINTER'S No. 111

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 408, Printer's No. 111, entitled "An Act amending the act of June 24 1931 (P. L. 1206) entitled 'An act concerning townships of the firts class amending revising consolidating and changing the law relating thereto' giving township commissioners authority to accept land dedicated by deed to the township for certain purposes."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL No. 428, PRINTER'S No. 172

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 428, Printer's No. 172, entitled "An Act amending the act of July 17 1935 (P. L. 1092) entitled 'An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws' further regulating transfer of funds to expense or other funds of fraternal benefit societies."

GEORGE M. LEADER

APPROVED AND SIGNED SENATE BILL No. 527, PRINTER'S No. 162

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 527, Printer's No. 162, entitled "An Act amending the act of May 2 1929 (P. L. 1237) entitled 'An act affecting martial relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating therto' changing the residence requirements for libellant in certain proceedings for divorce."

GEORGE M. LEADER

NOMINATION BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 28, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ernest W. Hofman, Wasnington Township, York County, P. O., R. D. 1, East Berlin, for appointment as Justice of the Peace in and for the Township of Washington, York County, until the first Monday of January 1956, vice O. S. Hofman, deceased.

GEORGE M. LEADER.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1078

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1078, entitled:

An Act amending the Act of March 10, 1949 (P. L. 30) "Public School Code of 1949," authorizing the use of school buildings as meeting places for governmental and quasi-governmental bodies, agencies and authorities created by law for municipal purposes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1522

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by tne Senate to House Bill No. 1522, entitled:

An Act amending the act of July 8 1941 (P. L. 298) entitled "Fourth Class County Retirement Law," changing the definition of "Average salary" and the membership of the board; making provisions, in certain cases retroactive, for contributors who are qualified for but die before retirement; and providing for voluntary retirement after twenty-five years service.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1523

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1523, entitled:

An Act amending the act of August 5, 1941 (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh an eighth class imposing certain charges on counties and prescribing penalties" changing the definition of "Final Salary" the membership of the board and its method of accounting authorizing the board to permit transfer to the one-eightieth (1/80) class of contribution and adjustment of county annuities allowing credit for prior service for certain per diem employes making provisions in cetain cases retroactive for contributors who are qualified for but die before retirement authorizing the establishment of a minimum retirement allowance and providing for the reinstatement of contributors returning from military service.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1524

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1524, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" changing the definition of "final salary" and the membership of the board authorizing the board to permit transfers to the one-eightieth (1/80) class of contributors and adusting the county annuities allowing employes credit in certain cases for prior service making provisions in certain cases retroactive for contributors who are qualified for but die before retirement

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 501, entitled:

An Act providing for the regulation of lobbying requiring registration of lobbyists keeping accounts of contributions and of receipts and expenditures and requiring reports and statements under oath by lobbyists and persons receiving contributions or expending money to influence legislation

Which was committed to the Committee on State Government.

House Bill No. 651, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons deignated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by defining "resident" and further regulating eligibility for assistance

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1060, entitled:

An Act defining and providing for the licensing of water well drillers prevention of pollution of underground waters conferring powers and imposing duties on the Water and Power Resources Board of the Department of Forests and Waters and prescribing penalties

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1101, entitled:

An Act amending the act of August 26, 1953 (P. L. 1476), entitled "An act to carry out the intent and purpose of Article XV, Section 1 and Article XIV, Section 8 of the Constitution of Pennsylvania, and to supplement the First Class City Home Rule Act, approved April twenty-one, one thousand nine hundred forty-nine (P. L. 605), by vesting in the Council of the City of Philadelphia full powers to legislate with respect to the election, appointment, compensation, organization, abolition, merger, consolidation, powers, functions and duties of certain officers, offices, boards and commissions of the City of Philadelphia; providing that such officers may be made appointive or abolished; altering the term of the District Attorney of Philadelphia; and establishing the status of Sheriff, City Commissioners, Board of Revision of Taxes and Registration Commission, the members of such board and commission, and the subordinates and employes of such officers, board and commission," removing the exclusion of the Sheriff, City Commissioners, Board of Revision of Taxes and Registration Commission from the provisions of Section 2 and providing that such officers be included within the provisions of the said section so that the Council of the City of Philadelphia shall have full powers to legislate with respect to the election, appointment, compensation, organization, abolition, merger, consolidation, powers, functions and duties of the Sheriff, City Commissioners, Board of Revision of Taxes, Registration Commission of the City of Philadelphia and all former county officers, offices, boards and commissions.

Which was committed to the Committee on Local Government.

House Bill No. 1390, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania excluding income taxes and taxes upon the transfer of property from a decedent from requirement of uniformity and limiting the rate and use of proceeds of income taxes

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 1413, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (1951-52 P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing the qualifications of superintendents of State institutions

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1571, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creat-

ing, reorganizing or authorizing the re-organization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," changing the name of the Department of Mines to the Department of Mines and Mineral Industries, and changing the title of the head of said department from Secretary of Mines to Secretary of Mines and Mineral Industries; further providing that where the term "Department of Mines" or "Secretary of Mines" are used or referred to in any other law, contract or document, such term or reference shall be deemed to refer to and include respectively the terms "Department of Mines and Mineral Industries" making an appropriation and "Secretary of Mines and Mineral Industries"

Which was committed to the Committee on Mines and Mining.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 229

Mr. SEYLER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 229, entitled:

An act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry or national origin by employers, employment agencies, labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission defining its functions, powers and duties, providing for procedure and enforcement, providing for formulation of an educational program to prevent prejudice, providing for judicial review and enforcement and imposing penalties.

Tne PRESIDENT. The report will lie over for printing under the rules.

BILLS INTRODUCED AND REFERRED

Mr. VAN SANT, on behalf of Mr. WHALLEY, read in place and presented to the Chair Senate Bill No. 782, entitled:

An Act making an appropriation to the Department of Property and Supplies for the Pennsylvania School for Mental Defectives.

Which was committed to the Committee on Appropriations.

Messrs. SEYLER, WADE and HAYS read in place and presented to the Chair Senate Bill No. 783, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further regulating free transportation of public school pupils and payments by the Commonwealth on account of such transportation.

Which was committed to the Committee on Education.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that the following bills, on concurrence in House amendments, go over in their order:

Senate Bill No. 262, Printer's No. 255; and

Senate Bill No. 268, Printer's No. 256.

The PRESIDENT. Is there objection? The Chair hears none.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 721, Printer's No. 251, on final passage, go over in its order.

none.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING, RECALLED FROM THE GOVERNOR

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill 306, Printer's No. 264, on third reading, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

PARLIAMENTARY INQUIRY

Mr. BARR. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Allegheny, Mr. Barr, will state his question of parliamentary inquiry.

Mr. BARR. It is my understanding that House Bill No. 705, Printer's No. 1000, which passed the Senate finally yesterday, is still in the possession of the Senate.

The PRESIDENT. That is correct.

Mr. BARR. Thank you, Mr. President.

RECONSIDERATION OF HOUSE BILL No. 705

Mr. BARR. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 705, entitled:

An Act providing for the payment of certain outstanding checks more than seven years old and making appropriations therefor.

The PRESIDENT. How did the Senator vote?

Mr. BARR. Mr. President, I voted with the prevailing side.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BARR. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. BARR. Mr. President, I voted with the prevailing side.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. Ruth. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1, page 2, line 4, by striking out the figure "417.64" and inserting: "779.26."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 705, Printer's No. 1000, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none. The bill, as amended, will appear on tomorrow's Third Reading Calendar.

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 340, Printer's No. 999;
Senate Bill No. 648, Printer's No. 225, and
Senate Bill No. 649, Printer's No. 226.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 722, as follows:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act confering powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof oweners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealthr liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating issuance of registration plates to newspaper newsreel or television photographers.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 501 act of May 1 1929 (P. L. 905) known as "The Vehicle Code" is amended by adding after subsection (e) a new subsection to read

Section 501 Registration Plates to be Furnished by Department

* * *

(f) Upon application of any owner residing in Pennsylvania who is regularly employed or engaged as a bona fide newspaper newsreel or television photographer or cameraman the department shall issue for any motor vehicle two registration plates of the type prescribed by this section on which shall be inscribed in addition to the registration number and other markings or identification otherwise prescribed by law the letters "PP" enclosed by a keystone shield The department shall not issue more than one set of such plates to any applicant during any registration year

The applicant shall comply with all laws pertaining to registration and licensing of motor vehicles and the application for registration prescribed by this section shall be accompanied by proof of regular employment as a bona fide newspaper newsreel or television photographer or cameraman and the sum of five ($5) dollars in addition to the fees otherwise prescribed by law for annual registration of motor vehicles.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 723, as follows:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing joint school committees to manage designated functions of joint schools or departments.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1707 act of March 10 1949 (P. L. 30) known as the "Public School Code of 1949" amended July 27 1953 (P. L. 629) is amended to read

Section 1707 Joint School Committee or Committees (A) The boards of school directors establishing any joint school or department may supervise and direct its affairs jointly in the same manner as the affairs of individual school districts are managed or they may agree that the affairs of such joint school or department may be managed by a joint school committee or that designated functions may be managed by separate joint school committees within the limits of the budget adopted by the joint board Where such management is delegated to a joint school committee or joint school committees every school board establishing joint schools or departments shall at the annual meeting during the month of December select one or more of its members who with the members chosen in like manner in the other districts shall constitute the joint school committee or joint school committees [This] (B) Where one joint school committee is established the committee shall have all the powers and duties and be subject to all the liabilities with reference to the supervision maintenance and regulation of such joint schools or departments as are now conferred or imposed by law upon school boards generally (C) Where more than one joint school committee is established each committee shall have all the powers and duties and be subject to all the liabilities with reference to the supervision maintenance and regulation of the particular function or functions of such joint schools or departments delegated to it as are now conferred or imposed by law upon school boards generally The affirmative vote of a majority of all the members of [this] any committee duly recorded showing how each member voted shall be required in order to take action upon those subjects enumerated in section five hundred eight of this act Failure to comply with the provisions of this act shall render void and unenforceable the acts of [the] any joint school committee with reference thereto The joint board and the joint school committee or joint school committees if authorized shall organize annually during the month of December by electing a president and secretary and the expenses of maintaining the joint school or department shall be paid by warrant drawn on the joint board treasurere by the president and secretary of the joint board or the joint school committee directing the affairs of the joint school or department generally or by the president and secretary of the joint school committee directing the particular function involved

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 794, Printer's No. 1001; and

House Bill No. 1637, Printer's No. 973.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1721, as follows:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders atttorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds property and investments held in a fiduciary capacity

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1410 act of May 15, 1933 (P. L. 624) known as the "Banking Code" is amended to read

Section 1410 Effect of Merger or Consolidation on Estates Held or to Be Held in Fiduciary Capacity A Whenever one or more of the bank and trust companies trust companies or national banking associations which have participated in a merger or a consolidation were authorized under the laws of this Commonwealth or of the United States to act in a fiduciary capacity all the funds property or investments held by such corporation or corporations as trustee guardian executor administrator or other fiduciary shall be taken and deemed to be transferred to and vested in the surviving or new incorporated institution without any further act or deed or any order or decree of any court or other tribunal whether or not the original fiduciary was appointed by parol by deed by order of court or by the issuance of letters testamentary or letters of administration The surviving or new incorporated institution shall become fiduciary to the same extent and with the same rights powers duties and liabilities in its capacity as fiduciary as the corporation which was originally fiduciary and from which by operation of the provisions of this section the surviving or new incorporated institution has taken over the relationship of fiduciary

However as soon as the articles of merger or articles of consolidation as the case may be are filed in the Department of State the surviving or new incorporated institution shall forthwith [give written notice in so far as the giving of such notice is practicable] cause notice thereof to be given in one newspaper of general circulation and

the legal periodical if any designated by rule of court for the publication of legal notices once a week for three successive weeks in the county or in each of the counties in which the principal offices of the bank and trust companies trust companies or national banking associations which have participated in the merger or consolidation are located to all corporations or persons [who appear upon the available books or other records as or who are otherwise known to be parties] interested in any funds property or investments formerly held in a fiduciary capacity by [such incorporated institution in a fiduciary capacity] the bank and trust companies trust companies or natioanl banking associations which have participated in the merger or consolidation under the provisions of this act Such corporations or persons may [within thirty days after the giving of such notice] apply for the appointment of a substituted fiduciary Such application shall be made to the appropriate court register of wills or other tribunal as the case may be or if the instrument under which the fiduciary relation was established prescribes a different authority or method then to such authority or by such method If such application is made notice thereof shall forthwith be given to the surviving or new incorporated institution Except in cases where the instrument creating the fiduciary relationship designates a different method or otherwise provides the court register of wills or other tribunal to whom such application is made pursuant to the provisions of this section shall have the power to appoint a substituted fiduciary and to order the surviving or new incorporated institution to file an account of such estate and to transfer and pay over to the substituted fiduciary the funds property or investments of the estate Nothing herein contained shall be construed to affect or impair the power of any court having jurisdiction to remove any fiduciary under the provisions of any other law of this Commonwealth

If the parties to whom the notice required by this section has been given do not [within the thirty-day period] make such application or pursue whatever method is prescribed by the instrument under which the fiduciary relationship was established for the appointment of a substituted fiduciary and give the surviving or new incorporated institution notice thereof or if it is impracticable to give notice as where there are unborn beneficiaries the surviving or new incorporated institution shall continue to be fiduciary subject to removal only at such time under such circumstances and by such authority as could have effected the removal of the original corporation as fiduciary if the merger or consolidation had never come into existence

B Whenever a bank and trust company a trust company or a national banking association authorize to act as a fiduciary in this Commonwealth has heretofore been or shall hereafter be named or appointed trustee guardian executor administrator or other fiduciary such nomination or appointment shall not be deemed to have lapsed by reason of the merger or consolidation of such bank and trust company trust company or national banking association with one or more corporations pursuant to the provisions of this act but such surviving or new incorporated institution shall be entitled to act in the same fiduciary capacity under such nomination or appointment as the original bank and trust company trust company or national banking association could have acted if such merger or consolidation had not been effected

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER TEMPORARILY

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 1799, Printer's No. 965, on third reading, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1800, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen million dollars ($15,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and administrative expenses attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-five

Section 2 Out of the moneys appropriated by Section One of this Act the Department of Public Assistance shall alocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by Section One of this Act there is hereby allocated to the Treasury Department the sum of one hundred fifty-seven thousand five hundred dollars ($157,500) and to the Department of the Auditor General the sum of eighty-four thousand dollars ($84,000) to pay the administrative expenses of said departments in auditing and disbursing the appropriation made by this Act

Section 4 The amount of money expended out of the appropriation made hereby shall be deducted from the General Biennial Appropriation to The Department of Public Assistance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Lane,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming.			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 162, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well as to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing rental charge allowed for use of receiving district's school plant in calculating tuition charge per high school pupil to be paid by sending district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 172, Printer's No. 818;
House Bill No. 386, Printer's No. 1005;
House Bill No. 459, Printer's No. 466;
House Bill No. 510, Printer's No. 413;
Senate Bill No. 584, Printer's No. 267; and
Senate Bill No. 608, Printer's No. 268.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 620, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating speed designating a traffic court in certain political subdivisions further prescribing enforcement and penal provisions and imposing duties on certain pedestrians

The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. RUTH offered the following amendments:

Amend Sec. 4 (Sec. 1201), page 9, line 3, by striking out "local" and inserting in lieu thereof: "Local"; Amend Sec. 4, (Sec. 1201), page 9, line 6, by striking out "all"; Amend Sec. 4 (Sec. 1201), page 9, line 7, by striking out "shall" and inserting in lieu thereof: "may."

They were agreed to.

The section was agreed to as amended.

The fifth and sixth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that House Bill No. 620, Printer's No. 963, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

REMAINING BILLS ON SECOND READING CALENDAR OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that the remaining bills, on second reading, go over in their order.

The bills were as follows:

Senate Bill No. 672, Printer's No. 269;
Senate Bill No. 673, Printer's No. 270;
Senate Bill No. 715, Printer's No. 271;
Senate Bill No. 716; Printer's No. 272;
Senate Bill No. 730, Printer's No. 273;
Senate Bill No. 731, Printer's No. 274;
Senate Bill No. 746, Printer's No. 275;
Senate Bill No. 757, Printer's No. 276;

Senate Bill No. 758, Printer's No. 277;
House Bill No. 954, Printer's No. 765;
House Bill No. 1050, Printer's No. 341;
House Bill No. 1098, Printer's No. 592;
House Bill No. 1135, Printer's No. 481;
House Bill No. 1173, Printer's No. 719;
House Bill No. 1503, Printer's No. 435; and
House Bill No. 1724, Printer's No. 843.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE. Mr. President, may we be at ease a few moments?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease).

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 1078, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing the use of school buildings as meeting places for governmental and quasi-governmental bodies, agencies and authorities created by law for municipal purposes.

House Bill No. 1435, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law," further regulating streets in cities of the second class, and the powers, duties and obligations of such cities and the Commonwealth with regard thereto.

House Bill No. 1522, entitled:

An Act amending the act of July 8, 1941 (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," changing the definition of "Average salary" and the membership of the board; making provisions, in certain cases retroactive, for contributors who are qualified for, but die before retirement; and providing for voluntary retirement after twenty-five years service.

House Bill No. 1523, entitled:

An Act amending the act of August 5 1941 (P. L. 803) entitled as amended "An act providing for the creation maintenance and the operation of a county employes' retirement system in counties of the fifth sixth seventh and eight class imposing certain charges on counties and prescribing penalties" changing the definition of "Final Salary" the membership of the board and its method of accounting and the options allowed upon retirement authorizing the board to permit transfers to the one-eightieth class of contribution and adjustment county annuities allowing credit for prior service for certain per diem employes making provisions in certain cases retroactive for contributors who are qualified for but die before retirement authorizing the establishment of a minimum retirement allowance and providing for the reinstatement of contributors returning from military service.

House Bill No. 1524, entitled:

An Act amending the act of June 4 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" changing the definition of "final salary" the membership of the board and the options allowed upon retirement authorizing the board to permit transfers to the one-eightieth class of contributors and adjusting the county annuities allowing employes credit in certain cases for prior service making provisions in certain cases retroactive for contributors who are qualified for but die before retirement.

House Bill No. 1721, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds, property and investments held in a fiduciary capacity.

House Bill No. 1800, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-five.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

(The Senate was at ease).

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. KESSLER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KESSLER offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 28, 1955.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Wednesday, October 5, 1955, at two-thirty o'clock p. m., E. S. T., and when the House of Representatives adjourn this week, it reconvene on Wednesday, October 5, 1955, at a time to be fixed by the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

THIRD READING CALENDAR

HOUSE BILL No. 1799 CALLED UP

Mr. WADE. Mr. President, I call up from the Third Reading Calender, House Bill No. 1799, Printer's No. 965, which went over in its order temporarily, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1799, as follows:

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as is

necessary are appropriated to the Senate and to the House of Representatives for the legislative session of 1955 The sums appropriated hereby shall be in addition to any sums heretofore appropriated for the purposes

(1) To the Senate for the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic travel and discretionary charges of the President pro tempore the sum of two thousand five hundred ($2,500)

(2) To the Senate for the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic travel and discretionary charges of the Majority Floor Leader the sum of two thousand five thousand five hundred dollars ($2,500)

(3) To the Senate for the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic travel and discretionary charges of the Minority Floor Leader the sum of two thousand five hundred dollars ($2,500)

(4) To the Senate for the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic travel and discretionary charges of the Majority Whip five hundred ($500) dollars

(5) To the Senate for the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic travel and discretionary charges of the Minority Whip five hundred dollars ($500)

(6) To the House of Representatives for the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic travel and discretionary charges of the Speaker the sum of two thousand five hundred dollars ($2,500)

(7) To the House of Representatives for the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic travel and discretionary charges of the Majority Floor Leader the such of two thousand five hundred dollars ($2,500)

(8) To the House of Representatives for the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic travel and discretionary charges of the Minority Floor Leader the sum of two thousand five hundred dollars ($2,500)

(9) To the House of Representatives for the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic travel and discretionary charges of the Majority Whip five hundred dollars ($500)

(10) To the House of Representatives for the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic travel and discretionary charges of the Minority Whip five hundred dollars ($500)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Represntativs with information that the Senate has passed the same without amendments.

Mr. WADE. Mr. President, may we be at ease?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease).

BILL SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Houst Bill No. 1799, entitled:

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

The PRESIDENT. At this time, the Chair wishes to call to the rostrum the gentleman from Berks, Mr. Ruth.

The PRESIDING OFFICER (Frank W. Ruth) in the Chair.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Repreentatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, September 28, 1955.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Wednesday, October 5, 1955, at two-thirty o'clock p. m.. E. S. T., and when the House of Representatives adjourn this week, it reconvene on Wednesday, October 5, 1955, at a time to be fixed by the House of Representatives.

ADJOURNMENT

Mr. WADE. Mr. President, I move that the Senate do now adjourn until Wednesday, October 5, 1955, at 2:30 o'clock, p. m., Eastern Standard Time.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:34 o'clock, a. m., Eastern Standard Time, until Wednesday, October 5, 1955, at 2:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, September 28, 1955.

The House met at 10:00 a. m. EST.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend Harold J. Crouse, Pastor of Trinity Lutheran Church, York, offered the following prayer:

Thou absolute and eternal God, the Master-builder of men's minds, bodies and souls, whose ears are open unto all the sincere desires of men, grant us who are here assembled in this Legislative Body a sensitive awareness of Thy presence. As we humbly look at ourselves in the light of Thy countenance, we confess and acknowledge:

That our deepest need is not more perfected communications one with the other, but a closer contact with God, who alone can help us when we are confused, bewildered and quite at sea.

That what we want to do with facts is not dependent upon science but what we want to do with them and what we will do with them if our character and lives are God centered.

That our acts are without any scale of value unless they are morally and spiritually motivated.

That the little difference there is between people makes all the difference in the world, if the God of Christ Jesus lives in us.

O Christ, near us, pity us, perfect us, sanctify us, and redeem us for the larger life of joyous fellowship and service. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, September 27, 1955 will be postponed until printed. The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. EILBERG and Mrs. PASHLEY.
HOUSE BILL No. 1821.

An Act authorizing the Department of Welfare to enter into an agreement with the City of Philadelphia; granting a license to the city to construct and maintain a sanitary and storm drainage right-of-way in, over and under the grounds of the Philadelphia State Hospital.

Referred to the Committee on State Government.

By Mr. GOLDSTEIN. HOUSE BILL No. 1822.

An Act amending the act of April 18, 1949 (P. L. 512), entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors' estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries," imposing duties on personal representatives with respect to employment of attorneys at law.

Referred to the Committee on Judiciary.

By Messrs. PETROSKY, STONE and WILLIAM B. SMITH. HOUSE BILL No. 1823.

An Act to further amend subsection (i) of section four of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highways and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by increasing the power of the Authority to borrow money and issue evidence of indebtedness therefor in certain cases.

Referred to the Committee on Rules.

By Messrs. PETROSKY, EILBERG and HOLT.
HOUSE BILL No. 1824.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," increasing the registration fees for motor vehicles and certain commercial motor vehicles and truck tractors.

Referred to the Committee on Rules.

By Messrs. PETROSKY, CAPANO and MAXWELL. HOUSE BILL No. 1825.

An Act to further amend subsection (i) of section four of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the

Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor in certain cases.

Referred to the Committee on Rules.

By Mr. RENWICK. HOUSE BILL No. 1826.

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," further regulating the use of arrows.

Referred to the Committee on Conservation and Wild Life.

Messrs. SWARTZ and PURSLEY.
HOUSE BILL No. 1827.

An Act amending the act of August 9, 1955 (Act No. 130), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating, and changing the laws relating thereto," authorizing the appointment of depositories for county funds by the county treasurer.

Referred to the Committee on Counties.

Messrs. SWARTZ and PURSLEY.
HOUSE BILL No. 1828.

An Act repealing section 445, act of August 9, 1955 (Act No. 130), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," further regulating the payment by the counties of expenses of the association of county commissioners, solicitors and chief clerks.

Referred to the Committee on Counties.

Messrs. SWARTZ and PURSLEY.
HOUSE BILL No. 1829.

An Act amending the act of August 9, 1955 (Act No. 130), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," further regulating the payment of expenses of county commissioners attending annual meetings of their association.

Referred to the Committee on Counties.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 156.

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" authorizing the department to provide for certain work on municipally owned public utilities.

Referred to the Committee on Highways.

SENATE BILL No. 165.

An Act amending the act of June 30, 1947 (P. L. 1183), entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" changing the method of selecting panels for the adjustment of grievances of certain school district employes and imposing additional duties on such panels.

Referred to the Committee on Labor Relations.

SENATE BILL No. 528.

An Act authorizing and empowering the Delaware River Port Authority to finance construct erect acquire operate maintain and own a new toll bridge for vehicular traffic across the Delaware River between Philadelphia County Pennsylvania and Burlington County or Camden County New Jersey at a location to be selected by the said Delaware River Port Authority between a point or points within a three mile radius of the intersection of State Road and Levick Street in the City of Philadelphia Pennsylvania and a point or points within a three mile radius of the intersection of New Jersey State Route No 73 Market Street and Temple Boulevard in the borough of Palmyra County of Burlington New Jersey together with such approaches thereto and such highway connections as may be necessary or desirable and granting and defining and continuing certain powers of eminent domain and other functions powers duties and privileges all of said actions to be taken pursuant to and in accordance with this act and the Compact or Agreement and amendments or supplements thereto between New Jersey and Pennsylvania dated July 1, 1931 August 23, 1951 and August 30, 1951, and the consent by the Congress of the United States thereto.

Referred to the Committee on Highways.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1721.

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes'

mutual banking associations and of tne officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds property and investments held in a fiduciary capacity

HOUSE BILL No. 1800.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1078.

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing the use of school buildings as meeting places for governmental and quasi-governmental bodies agencies and authorities created by law.

HOUSE BILL No. 1435.

An Act amending the act of June 1 1945 (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" further regulating streets in cities of the second class and the powers duties and obligations of such cities and the Commonwealth with regard thereto

HOUSE BILL No. 1522.

An Act amending the act of July 8 1941 (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" changing the definition of "Average salary" the membership of the board and the options allowed upon retirement regulating the manner of paying money out of the retirement fund making provisions in certain cases retroactive for contributors who are qualified for but die before retirement and providing for voluntary retirement after twenty-five years service.

HOUSE BILL No. 1523.

An Act amending the act of August 5 1941 (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" changing the definition of "Final Salary" the membership of the board and its method of accounting and making payments out of the retirement fund and the options allowed upon retirement authorizing the board to permit transfer to the one-eightieth (1/80) class of contribution and adjustment of county annuities allowing credit for prior service for certain per diem employes making provisions in certain cases retroactive for contributors who are qualified for but die before retirement authorizing the establishment of a minimum retirement allowance and providing for the reinstatement of contributors returning from military service.

HOUSE BILL No. 1524.

An Act amending the act of June 4 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" changing the definition of "final salary" the membership of the board the manner of paying money out of the retirement fund and the options allowed upon retirement authorizing the board to permit transfers to the one-eightieth (1/80) class of contributors and adjusting the county annuities allowing employes credit in certain cases for prior service making provisions in certain cases retroactive for contributors who are qualified for but die before retirement.

HOUSE BILL No. 1721.

An Act amending the act of May 15 1933 (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds property and investments held in fiduciary capacity.

HOUSE BILL No. 1800.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty five.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 68, entitled

An Act amending the act of April twelve, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Conrtol Board; providing for the establishment and operation of

State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," authorizing the transfer of certain retail licenses to clubs without effecting the number of licenses thereafter granted in any municipality.

And said bill having been raid at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 69, entitled

An Act amending the act of June 24 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" regulating the display of meat packaged with transparent material

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 145, entitled:

An Act prohibiting the sale transfer purchase ownership possession and use of tear and noxious gas and tear gas guns providing for certain exemptions and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 381, entitled:

An Act prescribing certain rights of employment and reemployment for members of the General Assembly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 920, entitled:

An Act amending the act of June 27, 1923 P. L. 858) entitled "An act establishing a State Employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contribution by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting certain contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 986, entitled:

An Act relating to chattel mortgages executed and filed prior to July 1, 1954 regulating the assignment release satisfaction and extension of the lien of mortgages and the filing indexing and docketing thereof in prothonotaries' offices prescribing methods of foreclosure defining defaults and violations prescribing prothonotaries' fees and fixing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1002, entitled:

An Act relating to conditional sales made prior to July 1 1954.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1311, entitled:

An Act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes conferring powers and imposing duties on local officers and the Department of Highways and making an appropriation out of the Motor License Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1452, entitled:

An Act relating to comic books magazines and other publications prohibiting and regulating the sale thereof in certain instances and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1507, entitled.

An Act amending, revising, clarifying an dchanging the act of April 6, 1953 (P. L. 3), entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, documentary letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel paper ,and contract rights; providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions, contracts or documents, and to make uniform the law with respect thereto."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1693, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and com-

missions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further regulating membership of the State Veterans' Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1718, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executives and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making further provisions relating to a quorum and the duties of deputies of the State Athletic Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1750, entitled:

An Act amending the act of August 9, 1955 (P. L. Act No. 130) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" providing for appeals to courts of common pleas from the decisions of salary boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1768, entitled:

An Act regulating settlement of labor disputes between public utility employers and their employes and providing the procedure therefor repealing certain acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1769, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" requiring informations charging violations of summary provisions of the act in cities of the first class to be brought before centrally located traffic courts designated by the chief magistrate and authorizing cities of the first class to fix penalties and fines by ordinances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1784, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by permitting aliens to obtain licenses to fish.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera tion of House Bill No. 1792, entitled:

An Act relating to comic books magazines and other publications prohibiting and regulating the sale thereof in certain instances and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 190, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further regulating the employment of teachers who are related to members of the board of school directors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 218, entitled:

An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (Pamphlet Laws 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes, school treasurer, board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by providing for the method of valuation of taxable shares of stock in any regulated investment company.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 286, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" establishing special speed restrictions for business and residence districts in cities of the second class.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1263, entitled:

An Act authorizing for the establishment of fireman pension pension funds or pension annuities in boroughs towns and townships and the regulation and maintenance thereof providing for continuance of existing funds or transfer thereof to funds herein established and prescribing rights of beneficiaries.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1722, entitled:

An Act amending the act of May 15 1933 (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts further regulating changes of place of business and establishment of branches.

The first section was read.
On the question,
Will the House agree to the section?
Mr. THOMAS offered the following amendment:

Amend Sec. 1 (Sec. 203) page 3, line 8 by striking out "aproval" and inserting in lieu thereof approval.

It was agreed to.
The section was agreed to as amended.
The second section was read and agreed to.
The third rection was read.
On the question,
Will the House agree to the section?
Mr. THOMAS offered the following amendment:

Amend Sec. 3 (Sec. 204.1) page 11, lines 1 and 2 by striking out "Capital Surplus."

It was agreed to.
The section was agreed to as amended.
The fourth section and title were separately read and agreed to.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1737, entitled:

An Act amending the act of May 5 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" regulating the establishment of places of business and changes in the places of business and the establishment and maintenance of branches.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1747, entitled:

An Act to further amend clause (a) of section five hundred ten of the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making an editorial correction and changing the time for beginning use of registration plates for certain vehicles.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1749, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" requiring the submission of a certain certificate by certain applicants requiring admission or release reports on certain persons by certain superintendents or medical directors or other competent authorities and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1763, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" extending the time for payment on purchases of borough property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1779, entitled:

An Act to further amend subscetion (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and interinsurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by continuing the provisions of that section in effect for a further period.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1785, entitled:

An Act to further amend section one of the act approved the eighth day of June one thousand nine hundred twenty-three (Pamphlet Laws 685) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" by further regulating the fees to be charged and collected.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1790, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately one thousand two hundred sixty-six acres of land in the Township of Coolbaugh County of Monroe Pennsylvania known as Tobyhanna Signal Depot and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1794, entitled:

An Act amending the act of September 26, 1951 (P. L. 1536), entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged; conferring certain powers and duties upon the Department of Welfare; imposing license fees; and providing penalties," further providing for refusal to grant, refusal to renew, and revocation of licenses; changing definition of commercial boarding homes, and changing license fees and penalty provisions.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 121, entitled:

An Act requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation recreation dams and flood control authorizing the Secretary of Forests and Waters to determine the need for and location of such projects and to acquire the necessary land

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 531, entitled:

An Act amending the act of May 3, 1909 (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" providing for and regulating the granting of easements in across and under the beds of navigable rivers for sewer lines and other facilities of sewage treatment systems

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 643, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting budget planning business and prescribing penalties for violation thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 154 as follows:

An Act amending the act of May two one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the closing of court houses and other county offices on Saturdays

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of May two one thousand nine hundred twenty-nine (P. L. 1278) known as "The General County Law" is amended by adding after section 551 a new section to read

Section 551.1 Saturday Closing The county commissioners with the approval of the court of common pleas and the orphans court may order that the county court house and all county offices located elsewhere be closed all day on Saturdays throughout the year or during any specified period of the year

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gaffney,	Lutty,	Royer,
Agnew,	Garlock,	Magee,	Rubin,
Amarando,	Gelfand,	Mahan,	Rudisill,
Anderson, M. S.,	George,	Markley,	Sarraf,
Anderson, S. A.,	Gibb,	Maxwell,	Scarcelli,
Ashton,	Gibson,	McCann,	Schuster,
Auker,	Goldstein,	McCormack,	Sherman,
Banker,	Gramlich,	McGee,	Sigman,
Barnatovich,	Greenwood,	McInroy,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Spencer,
Boies,	Hamilton, W. H.,	Metz,	Stank,
Bonner,	Hass,	Mihm,	Stebbins,
Boory,	Haudenshield,	Mikula,	Steckel,
Bower,	Heavey,	Miller,	Stephens,
Branca,	Helm,	Mills,	Stevenson,
Breisch,	Henzel,	Monroe,	Stone,
Brennan, A. P.,	Hewitt,	Moody,	Stoner,
Brennan, J. J.,	Hocker,	Moran,	Strausser,
Brenninger,	Holt,	Moscrip,	Stroup,
Breth,	Horst,	Muldowney,	Swartz,
Brown,	Houk,	Mullen,	Taylor,
Bucchin,	Isaacs,	Munley,	Thomas,
Bullen,	Jenkins,	Murphy,	Thompson,
Capano,	Johnson,	Murray, H. P.,	Toll,
Cianfrani,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cioffi,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Cochran,	Jump,	Musto,	Varallo,
Comer,	Kamyk,	Naugle,	Varner,
Connelly,	Kehler,	Needham,	Vaughan,
Cooper,	Kent,	Ogilvie,	Verona,
Curwood,	Kline,	Olsen,	Wall,
Davis,	Knecht,	O'Neil,	Wallace,
Donaldson,	Kolankiewicz,	Pacchioli,	Walsh,
Dougherty,	Kornick,	Parry,	Wargo,
Down,	Kratz,	Pashley,	Waterhouse,
Ehrgood,	Kromer,	Paulhamus,	Weidner,
Eilberg,	Kubacki,	Petrosky,	Welsh,
Erb,	Lafore,	Pettigrew,	Wescott,
Eshleman,	Lawyer,	Polaski,	Wheeler,
Ewing,	Leiby,	Polen,	Whitenight,
Farabaugh,	Leisey,	Pomeroy,	Willaredt,
Filo,	Leonard,	Price,	Williams,
Fineman,	Leven,	Pursley,	Wilt,
Flint,	Light,	Readinger,	Wood,
Floyd,	Limper,	Reibman,	Yetter,
Flynn,	Lippincott,	Reidenbach,	Yetzer,
Foster,	Lopresti,	Renwick,	Young,
Frank,	Lovett,	Rigby,	Ziegler,
Frascella,		Rosen,	Andrews,
Frost,		Rovansek,	Speaker

NAYS—3

Donahue,	Kooker,	Worley,

NOT VOTING—2

Keller,	McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 375, Printer's No. 912,
House Bill No. 1116, Printer's No. 978 and
House Bill No. 1735, Printer's No. 980
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 455 as follows:

An Act amending the act of May 2 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" eliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by one authority from another Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B of section 9 act of May 2 1945 (P. L. 382) known as the "Municipality Authorities Act of 1945" is amended to read

Section 9 Transfer of Existing Facilities to Authority

* * *

B No Authority shall acquire by any device or means whatsoever including a consolidation merger purchase or lease or through the purchase of stock bonds or other securities the title to or the possession or use of all or any substantial portion of any existing facilities constituting a project as defined in this act which said project is subject to the jurisdiction of the Pennsylvania Public Utility Commission [without the approval of the commission evidenced by its certificate of public convenience first had and obtained in accordance with the procedure and investigations as to value as outlined in section two hundred three of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) known as the "Public Utility Law" The commission shall also consider the earning power of the project in deciding the value thereof The word "acquire" as used in this paragraph shall include only the acquisition of existing facilities approval of the Pennsylvania Public Utility Commission shall not be required where one Authority acquires a project from another Authority

The Authority shall first report to and advise the municipality or municipalities by which it was created o rwhich are members of the Authority of the agreement to acquire including all its terms and conditions

The proposed action of the Authority and the proposed agreement to acquire shall be approved by the governing body of the municipality or municipalities which created or which are members of the Authority and to which the report is made Where there are one or two member municipalities of the Authority such approval shall be by two-thirds vote of all of the members of the governing body or of each of the governing bodies If there are more than two member municipalities of the Authority approval shall be by majority vote of all members of each governing body of two-thirds of the member municipalities

* * *

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gaffney,	Lutty,	Royer,
Agnew,	Garlock,	Magee,	Rubin,
Amarando,	Gelfand,	Mahan,	Rudisill,
Anderson, M. S.,	George,	Markley,	Sarraf,
Anderson, S. A.,	Gibb,	Maxwell,	Scarcelli,
Ashton,	Gibson,	McCann,	Schuster,
Auker,	Goldstein,	McCormack,	Sherman,
Banker,	Gramlich,	McGee,	Sigman,
Barnatovich,	Greenwood,	McInroy,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Spencer,
Boies,	Hamilton, W. H.,	Metz,	Stank,
Bonner,	Hass,	Mihm,	Stebbins,
Boory,	Haudenshield,	Mikula,	Steckel,
Bower,	Heavey,	Miller,	Stephens,
Branca,	Helm,	Mills,	Stevenson,
Breisch,	Henzel,	Monroe,	Stone,
Brennan, A. P.,	Hewitt,	Moody,	Stoner,
Brennan, J. J.,	Hocker,	Moran,	Strausser,
Brenninger,	Holt,	Moscrip,	Stroup,
Breth,	Horst,	Muldowney,	Swartz,
Brown,	Houk,	Mullen,	Taylor,
Bucchin,	Isaacs,	Munley,	Thomas,
Bullen,	Jenkins,	Murphy,	Thompson,
Capano,	Johnson,	Murray, H. P.,	Toll,
Cianfrani,	Jones, G. E.,	Murray, J. J.,	Toomey,
Cioffi,	Jones, T. H. W.,	Murray, P. G.,	Varallo,
Cochran,	Jump,	Musto,	Varner,
Comer,	Kamyk,	Naugle,	Vaughan,
Connelly,	Kehler,	Needham,	Verona,
Cooper,	Kent,	Ogilvie,	Wall,
Curwood,	Kline,	Olsen,	Wallace,
Davis,	Knecht,	O'Neil,	Walsh,
Donahue,	Kolankiewicz,	Pacchioli,	Wargo,
Donaldson,	Kooker,	Parry,	Waterhouse,
Dougherty,	Kornick,	Pashley,	Weidner,
Down,	Kratz,	Paulhamus,	Welsh,
Ehrgood,	Kromer,	Petrosky,	Wescott,
Eilberg,	Kubacki,	Pettirew,	Wheeler,
Erb,	Lafore,	Polaski,	Whitenight,
Fshleman,	Lawyer,	Polen,	Willaredt,
Ewing,	Leiby,	Pomeroy,	Williams,
Farabaugh,	Leisey,	Price,	Wilt,
Filo,	Leonard,	Pursley,	Wood,
Fineman,	Leven,	Readinger,	Worley,
Flint,	Light,	Reibman,	Yetter,
Floyd,	Limper,	Reidenbach,	Yetzer,
Flynn,	Lippincott,	Renwick,	Young,
Foster,	Lopresti,	Rigby,	Ziegler,
Frank,	Lovett,	Rosen,	Andrews,
Frascella,		Rovansek,	Speaker
Frost,			

NAYS—1

Tompkins,

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILLS

The SPEAKER asked and obtained unanimous consent to extend the time five days on House Bill No. 368, Printer's No. 622, on page 17 of today's calendar, bills on final passage postponed.

The SPEAKER asked and obtained unanimous consent to extend the time five days on House Bill No. 407, Printer's No. 624, on page 17 of today's calendar, bills on final passage postponed.

The SPEAKER asked and obtained unanimous consent

to extend the time five days on House Bill No. 1706, Printer's No. 841, on page 18 of today's calendar, bills on final passage postponed.

APPROPRIATION BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 803 as follows:

An Act creating an Anthracite Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to anthracite coal mines and the preparation of a modern code relating thereto and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created a commisison to be known as the "Anthracite Mine Law Study Commission" which shall consist of seven members one of whom shall be the Secretary of Mines three of whom shall represent the bargaining agent of the anthracite coal mining industry and three of whom shall represent the anthracite operators The Governor shall appoint the member representing the operators and the bargaining agent The commission shall organize at the call of the Governor by electing a chairman and a secretary The secretary need not be a member of the commission The members of the commission shall serve without compensation but shall be reimbursed for all expenses incurred in the discharge of their duties Vacancies occurring in the membership of the commission shall be filled by appointment by the Governor

Section 2 It shall be the duty of the commission to make a complete study and investigation of the existing laws of the Commonwealth relating to the production and mining of anthracite coal for the purpose of revising codifying and modernizing the laws to the end that miners employed in anthracite coal mines are afforded the greatest degree of protection and safety consistent with modrn methods and machinery available in such industry

Section 3 The commission shall have power to employ and fix the compensation of engineers experts assistants clerks stenographers and other employes as may be deemed necesary to carry out the work of the commission The commission shall require and secure the cooperation of the Department of Mines and all State officials who are charged with any duties and responsibilities relating to the administration and enforcement of the existing laws relating to anthracite coal mines

Section 4 The commission shall make a final report to the Governor and the General Assembly on or before January 15, 1937 together with such proposed legislation as it deems necessary to carry its recommendations into effect

Section 5 The sum of twenty-five thousand dollars ($25.000) or so much thereof as may be necessary is hereby specifically appropriated to the Anthracite Mine Law Study Commisison for the payment of expenses of the members of the commission for the payment of the compensation and expenses of the secretary engineers experts assistants clerk stenographers and other employes of the commission for the purchase of supplies material and equipment for printing posting telephone telegraph rent and miscellaneous expenses and generally for the purpose of carrying into effect the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Lutty,	Royer,
Agnew,	Garlock,	Magee,	Rubin,
Amarando,	Gelfand,	Mahan,	Rudisill,
Anderson, M. S.,	George,	Markley,	Sarraf,
Anderson, S. A.,	Gibb,	Maxwell,	Scarcelli,
Ashton,	Gibson,	McCann,	Schuster,
Auker,	Goldstein,	McCormack,	Sherman,
Banker,	Gramlich,	McGee,	Sigman,
Barnatovich,	Greenwood,	McInroy,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Spencer,
Boies,	Hamilton, W. H.,	Metz,	Stank,
Bonner,	Hass,	Mihm,	Stebbins,
Boory,	Haudenshield,	Mikula,	Steckel,
Bower,	Heavey,	Miller,	Stephens,
Branca,	Helm,	Mills,	Stevenson,
Breisch,	Henzel,	Monroe,	Stone,
Brennan, A. P.,	Hewitt,	Moody,	Stoner,
Brennan, J. J.,	Hocker,	Moran,	Strausser,
Brenninger,	Holt,	Moscrip,	Stroup,
Breth,	Horst,	Muldowney,	Swartz,
Brown,	Houk,	Mullen,	Taylor,
Bucchin,	Isaacs,	Munley,	Thomas,
Bullen,	Jenkins,	Murphy,	Thompson,
Capano,	Johnson,	Murray, H. P.,	Toll,
Cianfrani,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cioffi,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Cochran,	Jump,	Musto,	Varallo,
Comer,	Kamyk,	Naugle,	Varner,
Connelly,	Kehler,	Needham,	Vaughan,
Cooper,	Kent,	Ogilvie,	Verona,
Curwood,	Kline,	Olsen,	Wall,
Davis,	Knecht,	O'Neil,	Wallace,
Donahue,	Kolankiewicz,	Pacchioli,	Walsh,
Donaldson,	Kooker,	Parry,	Wargo,
Dougherty,	Kornick,	Pashey,	Waterhouse,
Down,	Kratz,	Paulhamus,	Weidner,
Ehrgood,	Kromer,	Petrosky,	Welsh,
Eilberg,	Kubacki,	Pettigrew,	Wescott,
Erb,	Lafore,	Polaski,	Wheeler,
Fehleman,	Lawyer,	Polen,	Whitenight,
Ewing,	Leiby,	Pomeroy,	Willaredt,
Farabaugh,	Leisey,	Price,	Williams,
Filo,	Leonard,	Pursley,	Wilt,
Fineman,	Leven,	Readinger,	Wood,
Flint,	Light,	Reibman,	Worley,
Floyd,	Limper,	Reidenbach,	Yetter,
Flynn,	Lippincott,	Renwick,	Yetzer,
Foster,	Lopresti,	Rigby,	Young,
Frank,	Lovett,	Rosen,	Ziegler,
Frascella,		Rovansek,	Andrews,
Frost,			Speaker

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1027 as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire two acres of land more or less in the Borough of Danville Montour County Pennsylvania for use of Danville State Hospital and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized to purchase on behalf of the Commonwealth of Pennsylvania for use of the Danville State Hospital a tract of land known as the Cook property in the Borough of Danville Montour County bounded and described as follows

Beginning at a point thence north 30 degrees 3 minutes west 409 feet to a point thence south 45 degrees 0 minutes west 225 feet to a point thence north 29 degrees 0 minutes

west 440 feet to a point thence north 53 degrees 30 minutes east 186 feet to the point of beginning containing two acres more or less

And being the same land conveyed to James Cook by deed of William Price dated October 19, 1925 and recorded in Montour County Deed Book Volume 30 at page 123

Section 2 The land shall not be acquired until its title has been approved by the Department of Justice

Section 3 The sum of two thousand six hundred dollars ($2,600.00) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price and incidental exenses including the completion of an abstract of title thereon

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Lutty,	Royer,
Agnew,	Garlock,	Magee,	Rubin,
Amarando,	Gelfand,	Mahan,	Rudisill,
Anderson, M. S.,	George,	Markley,	Sarraf,
Anderson, S. A.,	Gibb,	Maxwell,	Scarcelli,
Ashton,	Gibson,	McCann,	Schuster,
Auker,	Goldstein,	McCormack,	Sherman,
Banker,	Gramlich,	McGee,	Sieman,
Barnatovich,	Greenwood,	McInroy,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Spencer,
Boies,	Hamilton, W. H.,	Metz,	Stank,
Bonner,	Hass,	Mihm,	Stebbins,
Boory,	Haudenshield,	Mikula,	Steckel,
Bower,	Heavey,	Miller,	Stephens,
Branca,	Helm,	Mills,	Stevenson,
Breisch,	Henzel,	Monroe,	Stone,
Brennan, A. P.,	Hewitt,	Moody,	Stoner,
Brennan, J. J.,	Hocker,	Moran,	Strausser,
Brenninger,	Holt,	Moscrip,	Stroup,
Breth,	Horst.	Muldowney,	Swartz,
Brown,	Houk,	Mullen,	Taylor,
Bucchin,	Isaacs,	Munley,	Thomas,
Bullen,	Jenkins,	Murphy,	Thompson,
Capano,	Johnson,	Murray, H. P.,	Toll,
Cianfrani,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cioffi,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Cochran,	Jump,	Musto,	Varallo,
Comer,	Kamyk,	Naugle,	Varner,
Connelly,	Kehler,	Needham,	Vaughan,
Cooper,	Kent,	Ogilvie,	Verona,
Curwood,	Kline,	Olsen,	Wall,
Davis,	Knecht,	O'Neil,	Wallace,
Donahue,	Kolankiewicz,	Pacchioli,	Walsh,
Donaldson,	Kooker,	Parry,	Wargo,
Dougherty,	Kornick,	Pashley,	Waterhouse,
Down,	Kratz,	Paulhamus,	Weidner,
Ehrgood,	Kromer,	Petrosky,	Welsh,
Eilberg,	Kubacki,	Pettigrew,	Wescott,
Erb,	Lafore,	Polaski,	Wheeler,
Eshleman,	Lawyer,	Polen,	Whitenight,
Ewing,	Leiby,	Pomeroy,	Willaredt,
Farabaugh,	Leisey,	Price,	Williams,
Filo,	Leonard,	Pursley,	Wilt,
Fineman,	Leven,	Readinger,	Wood,
Flint,	Light,	Reibman,	Worley,
Floyd,	Limper,	Reidenbach,	Yetter,
Flynn,	Lippincott,	Renwick,	Yetzer,
Foster,	Lopresti,	Rigby,	Young,
Frank,	Lovett,	Rosen,	Ziegler,
Frascella,		Rovansek,	Andrews,
Frost,			Speaker

NAYS—0

NOT VOTING—2

Keller,	McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1028 as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land in the Borough of Riverside Northumberland County Pennsylvania for use of Danville State Hospital and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized to purchase on behalf of the Commonwealth of Pennsylvania for use of the Danville State Hospital a plot of ground with improvements thereon erected in the Borough of Riverside Northumberland County Pennsylvania bounded and described as follows

Beginning at a point on the south side of Blue Hills Drive at the northeast corner of lot No 2 Blue Hills addition to Riverside plan of lots thence along the south side of Blue Hills Drive north 87 degrees 10 minutes east 45 feet thence along the circumference of a circle having a radius of 25 feet 38.3 feet to the western side of the Borough Line Road thence along the west side of the Borough Line Road south 2 degrees 50 minutes east 110 feet to a stone thence south 87 degrees 10 minutes west 70 feet to the southwest corner of lot No 2 thence north 2 degrees 50 minutes west 135 feet along the western lines of lot No 2 to the point of beginning

Being lot No 1 plan of lots of Blue Hills Addition to Riverside having thereon erected a one-story frame dwelling

And being the same land conveyed to Wayne D Breneman and Janet Breneman by deed of the Riverside Development Company dated April 25, 1952 and recorded in Northumberland County in Deed Book Volume 340 at page 321

Section 2 The land shall not be acquired until its title has been approved by the Department of Justice.

Section 3 The sum of fifteen thousand dollars ($15,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price and incidental expenses including the completion of an abstract of title.

Section 4 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Lutty,	Royer,
Agnew,	Garlock,	Magee,	Rubin,
Amarando,	Gelfand,	Mahan,	Rudisill,
Anderson, M. S.,	George,	Markley,	Sarraf,
Anderson, S. A.,	Gibb,	Maxwell,	Scarcelli,
Ashton,	Gibson,	McCann,	Schuster,
Auker,	Goldstein,	McCormack,	Sherman,
Banker,	Gramlich,	McGee,	Sieman,
Barnatovich,	Greenwood,	McInroy,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Spencer,
Boies,	Hamilton, W. H.,	Metz,	Stank,
Bonner,	Hass,	Mihm,	Stebbins,
Boory,	Haudenshield,	Mikula,	Steckel,
Bower,	Heavey,	Miller,	Stephens,
Branca,	Helm,	Mills,	Stevenson,

Breisch, Brennan, A. P., Brennan, J. J., Brenninger, Breth, Brown, Bucchin, Bullen, Capano, Cianfrani, Cioffi, Cochran, Comer, Connelly, Cooper, Curwood, Davis, Donahue, Donaldson, Dougherty, Down, Ehrgood, Eilberg, Erb, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flint, Floyd, Flynn, Foster, Frank, Frascella, Frost, Henzel, Hewitt, Hocker, Holt, Horst, Houk, Isaacs, Jenkins, Johnson, Jones, G. E., Jones, T. H. W., Jump, Kamyk, Kehler, Kent, Kline, Knecht, Kolankiewicz, Kooker, Kornick, Kratz, Kromer, Kubacki, Lafore, Lawyer, Leiby, Leisey, Leonard, Leven, Light, Limper, Lippincott, Lopresti, Lovett, Monroe, Moody, Moran, Moscrip, Muldowney, Mullen, Munley, Murphy, Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Ogilvie, Olsen, O'Neil, Pacchioli, Parry, Pashley, Paulhamus, Petrosky, Pettigrew, Polaski, Polen, Pomeroy, Price, Pursley, Readinger, Reibman, Reidenbach, Renwick, Rigby, Rosen, Rovansek, Stone, Stoner, Strausser, Stroup, Swartz, Taylor, Thomas, Thompson, Toll, Tompkins, Toomey, Varallo, Varner, Vaughan, Verona, Wall, Wallace, Walsh, Wargo, Waterhouse, Weidner, Welsh, Wescott, Wheeler, Whitenight, Willaredt, Williams, Wilt, Wood, Worley, Yetter, Yetzer, Young, Ziegler, Andrews, Speaker

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1035, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land in the City of Nanticoke Luzerne County for the use of Nanticoke State Hospital and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is authorized to accept as a gift in the name of the Commonwealth of Pennsylvania for use of the Nanticoke State Hospital a tract of land in the City of Nanticoke and County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a point at the southeasterly intersection of Grant and Leemine Streets thence along the easterly line of Grant Street south 17 degrees 17 minutes east 434.15 feet to the northeasterly intersection of Grant and Grove Streets thence across Grant Street south 71 degrees 12 minutes west 55.02 feet to a point at the southeasterly corner of land of the Nanticoke State Hospital thence along land of the Nanticoke State Hospital and the westerly line of Grant Street north 17 degress 17 minutes west 424.80 feet to the northeasterly corner of land of the Nanticoke State Hospital and the southwesterly intersection of Grant and Leemine Streets thence across Grant Street north 61 degrees 38 minutes east 56.04 feet to the place of beginning

Containing 23,613 square feet of land more or less

Being that portion of Grant Street between the southerly line of Leemine Street and the northerly line of Grove Street as laid out and plotted by the M A Hanna Company and recorded in Luzerne County Map Book page 46 which was vacated by ordinance of the City Council of the City of Nanticoke May 4 1953 and reverted to the M A Hanna Company

Section 2 The land shall not be accepted until its title has been approved by the Department of Justice.

Section 3 The sum of one hundred dollars ($100.00) or as much thereof as may be necessary is appropriated to the Department of Property and Supplies for the payment of incidental expenses including the completion of an abstract of title

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam, Agnew, Amarando, Anderson, M. S., Anderson, S. A., Ashton, Auker, Banker, Barnatovich, Bazin, Bell, Blair, Boles, Bonner, Boory, Bower, Branca, Breisch, Brennan, A. P., Brennan, J. J., Brenninger, Breth, Brown, Bucchin, Bullen, Capano, Cianfrani, Cioffi, Cochran, Comer, Connelly, Cooper, Curwood, Davis, Donahue, Donaldson, Dougherty, Down, Ehrgood, Eilberg, Erb, Eshleman, Ewing, Farabaugh, Filo, Fineman, Flint, Floyd, Flynn, Foster, Frank, Frascella, Frost, Gaffney, Garlock, Gelfand, George, Gibb, Gibson, Goldstein, Gramlich, Greenwood, Guss, Guthrie, Hamilton, R. K., Hamilton, W. H., Hass, Haudenshield, Heavey, Helm, Henzel, Hewitt, Hocker, Holt, Horst, Houk, Isaacs, Jenkins, Johnson, Jones, G. E., Jones, T. H. W., Jump, Kamyk, Kehler, Kent, Kline, Knecht, Kolankiewicz, Kooker, Kornick, Kratz, Kromer, Kubacki, Lafore, Lawyer, Leiby, Leisey, Leonard, Leven, Light, Limper, Lippincott, Lopresti, Lovett, Lutty, Magee, Mahan, Markley, Maxwell, McCann, McCormack, McGee, McInroy, McLaughlin, McWherter, Meholchick, Metz, Mihm, Mikula, Miller, Mills, Monroe, Moody, Moran, Moscrip, Muldowney, Mullen, Munley, Murphy, Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Ogilvie, Olsen, O'Neil, Pacchioli, Parry, Pashley, Paulhamus, Petrosky, Pettigrew, Polaski, Polen, Pomeroy, Price, Pursley, Readinger, Reibman, Reidenbach, Renwick, Rigby, Rosen, Rovansek, Royer, Rubin, Rudisill, Sarraf, Scarcelli, Schuster, Sherman, Sigman, Smith, C. C., Smith, Wm. B., Snider, Spencer, Stank, Stebbins, Steckel, Stephens, Stevenson, Stone, Stoner, Strausser, Stroup, Swartz, Taylor, Thomas, Thompson, Toll, Tompkins, Toomey, Varallo, Varner, Vaughan, Verona, Wall, Wallace, Walsh, Wargo, Waterhouse, Weidner, Welsh, Wescott, Wheeler, Whitenight, Willaredt, Williams, Wilt, Wood, Worley, Yetter, Yetzer, Young, Ziegler, Andrews, Speaker

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affrmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1036, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire .326 of an acre more or less of land in Newport Township Luzerne County for the use of Retreat State Hospital and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is authorized to purchase in the name of the Commonwealth of Pennsylvania for use of Retreat State Hospital a tract of land in the Township of Newport and County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a point 32 feet from the center line of a private road which point is 13.15 feet distant from the center line of the Eastward Main Tract of the Wilkes-Barre Branch Susquehanna Division thence north 44 degrees 55 minutes east 150.0 feet to a point thence south 45 degrees 05 minutes east 94.85 feet to a point thence south 44 degrees 55 minutes west 150.0 feet to a point thence north 45 degrees 05 minutes west 94.85 feet to the point of beginning

Containing .326 of an acre more or less of land

And being the same land conveyed to the Pennsylvania Railroad Company by deed of the Central Poor District of Luzerne County Pennsylvania dated August 10 1903 and recorded in Luzerne County in Deed Book Volume 414 at page 353

Section 2 The land shall not be acquired until its title has been approved by the Department of Justice

Section 3 The sum of four hundred dollars ($400.00) or as much thereof as may be necessary is appropriated to the Department of Property and Supplies for the payment of the purchase price and incidental expenses including the completion of an abstract of title

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Lutty,	Royer,
Agnew,	Garlock,	Magee,	Rubin,
Amarando,	Gelfand,	Mahan,	Rudisill,
Anderson, M. S.,	George,	Markley,	Sarraf,
Anderson, S. A.,	Gibb,	Maxwell,	Scarcelli,
Ashton,	Gibson,	McCann,	Schuster,
Auker,	Goldstein,	McCormack,	Sherman,
Banker,	Gramlich,	McGee,	Sieman,
Barnatovich,	Greenwood,	McInroy,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Spencer,
Boies,	Hamilton, W. H.,	Metz,	Stank,
Bonner,	Hass,	Mihm,	Stebbins,
Boory,	Haudenshield,	Mikula,	Steckel,
Bower,	Heavey,	Miller,	Stephens,
Branca,	Helm,	Mills,	Stevenson,
Breisch,	Henzel,	Monroe,	Stone,
Brennan, A. P.,	Hewitt,	Moody,	Stoner,
Brennan, J. J.,	Hocker,	Moran,	Strausser,
Brenninger,	Holt,	Moscrip,	Stroup,
Breth,	Horst,	Muldowney,	Swartz,
Brown,	Houk,	Mullen,	Taylor,
Bucchin,	Isaacs,	Munley,	Thomas,
Bullen,	Jenkins,	Murphy,	Thompson,
Capano,	Johnson,	Murray, H. P.,	Toll,
Cianfrani,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cioffi,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Cochran,	Jump,	Musto,	Varallo
Comer,	Kamyk,	Naugle,	Varner,
Connelly,	Kehler,	Needham,	Vaughan,
Cooper,	Kent,	Ogilvie,	Verona,
Curwood,	Kline,	Olsen,	Wall,
Davis,	Knecht,	O'Neil,	Wallace,
Donahue,	Kolankiewicz,	Pacchioli,	Walsh,
Donaldson,	Kooker,	Parry,	Wargo,
Dougherty,	Kornick,	Pashley,	Waterhouse,
Down,	Kratz,	Paulhamus,	Weidner,
Ehrgood,	Kromer,	Petrosky,	Welsh,
Eilberg,	Kubacki,	Pettigrew,	Wescott,
Erb,	Lafore,	Polaski,	Wheeler,
Eshleman,	Lawyer,	Polen,	Whitenight,
Ewing,	Leiby,	Pomeroy,	Willaredt,
Farabaugh,	Leisey,	Price,	Williams,
Filo,	Leonard,	Pursley,	Wilt,
Fineman,	Leven,	Readinger,	Wood,
Flint,	Light,	Reibman,	Worley,
Floyd,	Limper,	Reidenbach,	Yetter,
Flynn,	Lippincott,	Renwick,	Yetzer,
Foster,	Lopresti,	Rigby,	Young,
Frank,	Lovett,	Rosen,	Ziegler,
Frascella,		Rovansek,	Andrews, Speaker
Frost.			

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affrmative, the question was determined in the affimative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1113, Printer's No. 977

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1150 as follows:

An Act amending the act of June 27 1923 (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" defining employes of the Pennsylvania Tunnel Commission as State employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The first paragraph of clause 6 of section 1 act of June 27 1923 (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" amended January 14 1952 (P. L. 1911) is amended to read

Section 1 Be it enacted &c That the following words

and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all persons employed by the State Board of Law Examiners of the Supreme Court of Pennsylvania and also all present future or former members of the General Assembly who receive or have received their salaries for regular and special sessions of the Legislature as fixed by law and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds also all employes of any single county department of health or any joint county department of health created under the Local Health Administration Law being Act No. 315 approved August 24 1951 paid on a yearly or monthly basis and also all officers and employes of the Interstate Commission on the Delaware River Basin of the Pennsylvania Tunnel Commission and of the Pennsylvania Tunpike Commission of the date of entering the service of such commissions and of the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission The State Public School Building Authority The General State Authority and of The State Highway and Bridge Authority paid on a yearly or monthly basis if the Interstate Commission on the Delaware River Basin and the Delaware River Joint Commission the Delaware River Joint Toll Bridge Commission the Pennsylvania Turnpike Commission The State Public School Building Authority The General State Authority (and) The State Highway and Bridge Authority and the Pennsylvania Tunnel Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances return benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws 245) excepting such officers and employes of the Department of Public Instruction State Teachers' Colleges Thaddeus Stevens Trade School Pennsylvania State Oral School for the Deaf and Pennsylvania Soldier's Orphan School as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association and that all service credited as a member of the public school employes' retirement system will be considered as having been rendered as a State employe The rates of deduction from salaries of such officers and employes to the State Employes' Retirement Fund shall be determined by the age at which the employe began to contribute to the Public School Employes' Retirement Fund.

Section 2 This act shall take effect immediately.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boles,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki,	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Frost,			

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1209, Printer's No. 1017

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1566 as follows:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" regulating the acceptance of non-resident school children

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 1305 act of March 10 1949 (P. L. 30) known as the " Public School Code of 1949" is amended to read

Section 1305 Non-resident Child Placed in Home of Resident (a) When a non-resident child is placed in the home of a resident of any school district by order of court or by arrangement with an association agency or institution having the care of neglected and dependent children such resident being compensated for keeping the child any child of school age so placed shall be entitled to all free school privileges accorded to resident school children of the district including the right to attend the public high school maintained in such district or in other districts in the same manner as though such child were in fact a resident school child of the district

[The school district may not be required to accept such children in its schools when their acceptance would involve additional provisions for transportation by the district or would require the district to provide additional teachers or rooms at an expense greater than the amount of reimbursement paid to the district by the State on account of the instruction of such children]

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boies,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Brennan, A. P.,	Helm,	Monroe,	Stone,
Brennan, J. J.,	Henzel,	Moody,	Stoner,
Branca,	Hewitt,	Moran,	Strausser,
Breisch,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki,	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Frost,			

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1567, as follows:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for payments on account of nonresident pupil transportation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2541 act of March 10 1949 (P. L. 30) known as the "Public School Code of 1949" is amended by adding at the end thereof a new clause to read

Section 2541 Payments on Account of Pupil Transportation School districts shall be paid by the Commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incured by the district by the district standard reimbursement fraction In addition thereto the Commonwealth shall pay to school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the certified cost at which the district acquired the vehicle for which depreciation is claimed

Such payments for pupil transportation shall be made in the following cases

* * *

(7) To all school districts for the transportation of nonresident children who are placed in the home of a resident or who are inmotes of an orphan asylum or home or a children's home or other institution for the care and training of orphans or other children and who attend the

public schools and who live two miles or more from the nearest school with the proper grades

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boles,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donaldson,	Kolankiewicz,	Parry,	Wargo,
Donahue,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki,	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Frost,			

NAYS—0

NOT VOTING—2

Keller,	McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1579, as follows:

An Act amending the act of March 10 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for pupil transportation in institutions and providing for reimbursements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1306 act of March 10 1949 (P. L. 30) known as the "Public School Code of 1949" is amended to read

Section 1306 Non-resident Inmates of Children's Institutions (a) The board of school directors of any school district in which there is located any orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children shall permit any children who are inmates of such homes but not legal residents in such districts to attend the public schools in said district either with or without charge for tuition textbooks or school supplies as the directors of the district in which such institution is located may determine.

(b) Whenever non-resident children attend the public schools in such district they shall be furnished proper transportation provided for resident children and the district furnishing or providing the transportation shall be reimbursed in the same manner as provided for resident children.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Magee,	Royer,
Agnew,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Auker,	Goldstein,	McGee,	Sherman,
Banker,	Gramlich,	McInroy,	Sigman,
Barnatovich,	Greenwood,	McLaughlin,	Smith, C. C.,
Bazin,	Guss,	McWherter,	Smith, Wm. B.,
Bell,	Guthrie,	Meholchick,	Snider,
Blair,	Hamilton, R. K.,	Metz,	Spencer,
Boles,	Hamilton, W. H.,	Mihm,	Stank,
Bonner,	Hass,	Mikula,	Stebbins,
Boory,	Helm,	Miller,	Steckel,
Bower,	Haudenshield,	Mills,	Stephens,
Branca,	Heavey,	Monroe,	Stevenson,
Breisch,	Henzel,	Moody,	Stone,
Brennan, A. P.,	Hewitt,	Moran,	Stoner,
Brennan, J. J.,	Hocker,	Moscrip,	Strausser,
Brenninger,	Holt,	Muldowney,	Stroup,
Breth,	Horst,	Mullen,	Swartz,
Brown,	Houk,	Munley,	Taylor,
Bucchin,	Isaacs,	Murphy,	Thomas,
Bullen,	Jenkins,	Murray, H. P.,	Thompson,
Capano,	Johnson,	Murray, J. J.,	Toll,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Tompkins,
Cioffi,	Jones, T. H. W.,	Musto,	Toomey,
Cochran,	Jump,	Naugle,	Varallo,
Comer,	Kamyk,	Needham,	Varner,
Connelly,	Kehler,	Ogilvie,	Vaughan,
Cooper,	Kent,	Olsen,	Verona,
Curwood,	Kline,	O'Neil,	Wall,
Davis,	Knecht,	Pacchioli,	Wallace,
Donahue,	Kolankiewicz,	Parry,	Walsh,
Donaldson,	Kooker,	Pashley,	Wargo,
Dougherty,	Kornick,	Paulhamus,	Waterhouse,
Down,	Kratz,	Petrosky,	Weidner,
Ehrgood,	Kromer,	Pettigrew,	Welsh,
Eilberg,	Kubacki,	Polaski,	Wescott,
Erb,	Lafore,	Polen,	Wheeler,
Eshleman,	Lawyer,	Pomeroy,	Whitenight,
Ewing,	Leiby,	Price,	Willaredt,
Farabaugh,	Leisey,	Pursley,	Williams,
Filo,	Leonard,	Readinger,	Wilt,
Fineman,	Leven,	Reibman,	Wood,
Flint,	Light,	Reidenbach,	Worley,
Floyd,	Limper,	Renwick,	Yetter,

Flynn,	Lippincott,	Rigby,	Yetzer,
Foster,	Lopresti,	Rosen,	Young,
Frank,	Lovett,	Rovansek,	Ziegler,
Frascella,	Lutty,		Andrews,
Frost,			Speaker

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1614, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a tract of land with buildings thereon in the Borough of Indiana Indiana County Pennsylvania for the use of the Indiana State Teachers College and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized in the name of the Commonwealth of Pennsylvania for use of the Indiana State Teachers College a tract of land with buildings thereon in the Borough of Indiana Indiana County Pennsylvania bounded and described as follows

On the east by Eleventh Street on the north by lot No 10 now the property of Uncapher on the west by an alley and on the south by lot No 12 now the property of Charles Gessler fronting on said Eleventh Street fifty feet and extending back of equal width one hundred eighty feet to said alley having thereon erected a two-story frame dwelling house

Being lot No 11 in the plot or plant of lots laid out by Wilson Sutton and Clark and known as the Wilson Sutton and Clark Addition to West Indiana now Indiana recorded in Indiana Deed Book A Volume 55 at page 408

And being the same land conveyed to Jennie G Lowman by deed of Margaret Gibson by deed dated May 9 1919 and recorded May 10 1919 in Indiana County Deed Book 173 at page 22

Section 2 The property shall not be acquired until its title has been approved by the Department of Justice

Section 3 The sum of fourteen thousand five hundred dollars ($14,500) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price and incidental expenses including the completion of an abstract of title

Section 4 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Lutty,	Royer,
Agnew,	Garlock,	Magee,	Rubin,
Amarando,	Gelfand,	Mahan,	Rudisill,
Anderson, M. S.,	George,	Markley,	Sarraf,
Anderson, S. A.,	Gibb,	Maxwell,	Scarcelli,
Ashton,	Gibson,	McCann,	Schuster,
Auker,	Goldstein,	McCormack,	Sherman,
Banker,	Gramlich,	McGee,	Sieman,
Barnatovich,	Greenwood,	McInroy,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Spencer,
Boies,	Hamilton, W. H.,	Metz,	Stank,
Bonner,	Hass,	Mihm,	Stebbins,
Boory,	Haudenshield,	Mikula,	Steckel,
Bower,	Heavey,	Miller,	Stephens,
Branca,	Helm,	Mills,	Stevenson,
Breisch,	Henzel,	Monroe,	Stone,
Brennan, A. P.,	Hewitt,	Moody,	Stoner,
Brennan, J. J.,	Hocker,	Moran,	Strausser,
Brenninger,	Holt,	Moscrip,	Stroup,
Breth,	Horst,	Muldowney,	Swartz,
Brown,	Houk,	Mullen,	Taylor,
Bucchin,	Isaacs,	Munley,	Thomas,
Bullen,	Jenkins,	Murphy,	Thompson,
Capano,	Johnson,	Murray, H. P.,	Toll,
Cianfrani,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cioffi,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Cochran,	Jump,	Musto,	Varallo,
Comer,	Kamyk,	Naugle,	Varner,
Connelly,	Kehler,	Needham,	Vaughan,
Cooper,	Kent,	Ogilvie,	Verona,
Curwood,	Kline,	Olsen,	Wall,
Davis,	Knecht,	O'Neil,	Wallace,
Donahue,	Kolankiewicz,	Pacchioli,	Walsh,
Donaldson,	Kooker,	Parry,	Wargo,
Dougherty,	Kornick,	Pashley,	Waterhouse,
Down,	Kratz,	Paulhamus,	Weidner,
Ehrgood,	Kromer,	Petrosky,	Welsh,
Eilberg,	Kubacki,	Pettigrew,	Wescott,
Erb,	Lafore,	Polaski,	Wheeler,
Eshleman,	Lawyer,	Polen	Whitenight,
Ewing,	Leiby,	Pomeroy,	Willaredt,
Farabaugh,	Leisey,	Price,	Williams,
Filo,	Leonard,	Pursley,	Wilt,
Fineman,	Leven,	Readinger,	Wood,
Flint,	Light,	Reibman,	Worley,
Floyd,	Limper,	Reidenbach,	Yetter,
Flynn,	Lippincott,	Renwick,	Yetzer,
Foster,	Lopresti,	Rigby,	Young,
Frank,	Lovett,	Rosen,	Ziegler,
Frascella,		Rovansek,	Andrews,
Frost,			Speaker

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1615, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a tract of land with buildings thereon in the Township of White Indiana County Pennsylvania containing 7.486 acres more or less for the use of the Indiana State Teachers' College and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania for use of the Indiana State Teachers' College a tract of land in White Township Indiana County Pennsylvania bounded and described as follows

Beginning at a point on Glass Street at the northeast corner of the tract herein described thence by other land of Joseph Brodsky and Nick Kovalchick south 5 degrees 22 minutes west 456.56 feet to a point thence along the land of Joseph Brodsky and Nick Kovalchick north 89 degrees 40 minutes west 700.33 feet to a point on the Pennsylvania Railroad Company right-of-way thence by the right-of-way north 2 degrees 37 minutes east 294.5 feet to a point thence continuing along the right-of-way south 88 degrees 34 minutes east 18.90 feet to a point thence continuing along the right-of-way north 0 degrees

37 minutes east 175 feet to a point on Glass Street thence along the southern line of Glass Street the following courses and distances south 88 degrees 34 minutes east 572.1 feet to a point south 88 degrees 23 minutes east 133.9 feet to a point the place of beginning

Containing 7.486 acres more or less of land according to a survey made by R B Shannon & Associates dated June 16 1955

For title into Nick Kovalchick Fannie Kovalchick and Joseph Brodsky present owners see Indiana County Deed Book Volume 327 at page 317 Deed Book Volume 327 at page 318 and Deed Book Volume 345 at page 285

Section 2 The property shall not be acquired until its title has been approved by the Department of Justice

Section 3 The sum of twenty-eight thousand five hundred dollars ($28,500) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price and incidental expenses including the completion of an abstract of title

Section 4 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Lutty,	Royer,
Agnew,	Garlock,	Magee,	Rubin,
Amarando,	Gelfand,	Mahan,	Rudisill,
Anderson, M. S.,	George,	Markley,	Sarraf,
Anderson, S. A.,	Gibb,	Maxwell,	Scarcelli,
Ashton,	Gibson,	McCann,	Schuster,
Auker,	Goldstein,	McCormack,	Sherman,
Banker,	Gramlich,	McGee,	Sigman,
Barnatovich,	Greenwood,	McInroy,	Smith, C. C.,
Bazin,	Guss.	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Spencer,
Boles,	Hamilton, W. H.,	Metz,	Stank,
Bonner,	Hass,	Mihm,	Stebbins,
Boory,	Haudenshield,	Mikula,	Steckel,
Bower,	Heavey,	Miller,	Stephens,
Branca,	Helm,	Mills,	Stevenson,
Breisch,	Henzel,	Monroe,	Stone,
Brennan, A. P.,	Hewitt,	Moody,	Stoner,
Brennan, J. J.,	Hocker,	Moran,	Strausser,
Brenninger,	Holt,	Moscrip,	Stroup,
Breth,	Horst,	Muldowney,	Swartz,
Brown,	Houk,	Mullen,	Taylor,
Bucchin,	Isaacs,	Munley,	Thomas,
Bullen,	Jenkins,	Murphy,	Thompson,
Capano,	Johnson,	Murray, H. P.,	Toll,
Cianfrani,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cioffi,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Cochran,	Jump,	Musto,	Varallo,
Comer,	Kamyk,	Naugle,	Varner,
Connelly,	Kehler,	Needham,	Vaughan,
Cooper,	Kent,	Ogilvie,	Verona,
Curwood,	Kline,	Olsen,	Wall,
Davis,	Knecht,	O'Neil,	Wallace,
Donahue,	Kolankiewicz,	Pacchioli,	Walsh,
Donaldson,	Kooker,	Parry,	Wargo,
Dougherty,	Kornick,	Pashley,	Waterhouse,
Down,	Kratz,	Paulhamus,	Weidner,
Ehrgood,	Kromer,	Petrosky,	Welsh,
Eilberg,	Kubacki,	Pettigrew,	Wescott,
Erb,	Lafore,	Polaski,	Wheeler,
Eshleman,	Lawyer,	Polen,	Whitenight,
Ewing,	Leiby,	Pomeroy,	Willaredt,
Farabaugh,	Leisey,	Price,	Williams,
Filo,	Leonard,	Pursley,	Wilt,
Fineman,	Leven,	Readinger,	Wood,
Flint,	Light,	Reibman,	Worley,
Floyd,	Limper,	Reidenbach,	Yetter,
Flynn,	Lippincott,	Renwick,	Yetzer,
Foster,	Lopresti,	Rigby,	Young,
Frank,	Lovett,	Rosen,	Ziegler,
Frascella,		Rovansek,	Andrews,
Frost,			Speaker

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration fo House Bill No. 1616, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a tract of land in the Borough of Indiana Indiana County Pennsylvania containing 2.5 acres more or less for the use of the Indiana State Teachers College and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania for use of the Indiana State Teachers College a tract of land in the Borough of Indiana Indiana County Pennsylvania bounded and described as follows

Lots No 117 118 119 120 121 122 123 124 125 126 127 and 128 on the south by Glass Street on the west by Lot No 129 on the north by Marion Alley on the east by Eleventh Street Each lot being 50 feet in front on Glass Street and extending back of equal width 150 feet to Marion Alley

Containing 2.5 acres more or less of land and being lots on the plot or plan of lots laid out by Wilson Sutton and Clark and known as the Wilson Sutton and Clark Addition to West Indiana now Indiana recorded in Indiana County Deed Book "A" Volume 55 at page 408

For title into Joseph R Reschini and Rose P Reschini his wife and Joseph W Gatti and Lena E Gatti his wife present owners see Indiana County Deed Book Volume 395 at page 159 dated June 27 1950 and Deed Book Volume 406 at page 574 See also action to quiet title entered to No 66 September Term 1951 in the Court of Common Pleas of Indiana County

Section 2 The property shall not be acquired until its title has been approved by the Department of Justice

Section 3 The sum of fifteen thousand dollars ($15,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price and incidental expenses including the completion of an abstract of title

Section 4 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss.	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boles,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,

Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki,	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Frost,			

NOT VOTING—2

Keller, McKeever.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1692, as follows:

An Act directing the Legislative Reference Bureau to compile and publish a revised compilation of laws relating to war veterans and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Legislative Reference Bureau shall compile and publish a revised pamphlet containing a compilation of the laws of Pennsylvania relating to war veterans A copy of the pamphlet shall be made available to any post camp or chapter in this Commonwealth of any organization whose members served in the armed forces of the United States

The pamphlet shall be completed and available for distribution on or before September 1 1956

Section 2 The sum of five thousand dollars ($5000) or as much thereof as is necessary is appropriated to the Legislative Reference Bureau to pay the compensation of assistants and all costs and expenses incurred by the bureau in carrying out this act

Section 3 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boles,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki,	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Frost,			

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1723, as follows:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 117) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions

and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that State policemen assigned to duty with the Pennsylvania Turnpike Commission shall not be counted against the total number of officers and men in the State Police Force

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-ninth day of July one thousand nine hundred fifty-three (P. L. 1006) is hereby further amended to read as follows

Section 205 Pennsylvania State Police The Pennsylvania State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania State Police shall receive a salary at the rate of fifteen thousand dollars per annum

The Deputy Commissioner of the Pennsylvania State Police shall be appointed by the Commissioner of Pennsylvania State Police with the approval of the Governor and shall receive a salary at the rate of ten thousand dollars per annum

The State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time one thousand nine hundred (1900) persons and Provided further That State policemen both officers and men assigned to duty with the Pennsylvania Turnpike Commission shall not be counted in determining the total number of officers and men in the State Police Force

The members of the State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boles,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Frost,			

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1780, as follows:

An Act making an appropriation to the Insurance Commissioner as Statutory Liquidator to enable him to liquidate dissolved insurance companies associations and exchanges which have insufficient assets for such liquidation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows.

Section 1 The sum of twenty-five thousand dollars is hereby appropriated to the Insurance Commissioner of this Commonwealth in his capacity as court appointed Statutory Liquidator of dissolved domestic insurance companies associations and exchanges for the fiscal biennium beginning June first one thousand nine hundred fifty-five for the payment of the expenses of liquidation of such dissolved organizations as have not sufficient cash assets to pay such expenses.

Section 2 The Statutory Liquidator shall keep an accurate record of such payments All sums realized by the said Statutory Liquidator from the assets of such organizations in liquidation by way of reimbursement for expenditures made from this appropriation shall be paid into the General Fund.

Section 3 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Guss,	McLaughlin,	Smith, Wm. B.,
Bazin,	Greenwood,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boies,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, P. G.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, J. J.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Paulhamus,	Waterhouse,
Dougherty,	Kornick,	Pashley,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,
Flint,	Light,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Frost,			

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1787, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the establishment of a professorship in the School of Medicine.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars ($50,000.00) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June first one one thousand nine hundred fifty-five for the establishment of a Professorship in Preventive Medicine in the School of Medicine of the University to be known as the Commonwealth Professorship of Preventive Medicine and to be fillled by that member of the medical profession who in the opinion of the Trustees of the University of Pittsburgh has made an outstanding contribution in the field of Preventive Medicine.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adam,	Gaffney,	Magee,	Rubin,
Agnew,	Garlock,	Mahan,	Rudisill,
Amarando,	Gelfand,	Markley,	Sarraf,
Anderson, M. S.,	George,	Maxwell,	Scarcelli,
Anderson, S. A.,	Gibb,	McCann,	Schuster,
Ashton,	Gibson,	McCormack,	Sherman,
Auker,	Goldstein,	McGee,	Sigman,
Banker,	Gramlich,	McInroy,	Smith, C. C.,
Barnatovich,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bazin,	Guss,	McWherter,	Snider,
Bell,	Guthrie,	Meholchick,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boies,	Hamilton, W. H.,	Mihm,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moscrip,	Stoner,
Brennan, A. P.,	Hewitt,	Moody,	Strausser,
Brennan, J. J.,	Hocker,	Moran,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Bullen,	Jenkins,	Murray, H. P.,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Cochran,	Jump,	Naugle,	Varner,
Comer,	Kamyk,	Needham,	Vaughan,
Connelly,	Kehler,	Ogilvie,	Verona,
Cooper,	Kent,	Olsen,	Wall,
Curwood,	Kline,	O'Neil,	Wallace,
Davis,	Knecht,	Pacchioli,	Walsh,
Donahue,	Kolankiewicz,	Parry,	Wargo,
Donaldson,	Kooker,	Pashley,	Waterhouse,
Dougherty,	Kornick,	Paulhamus,	Weidner,
Down,	Kratz,	Petrosky,	Welsh,
Ehrgood,	Kromer,	Pettigrew,	Wescott,
Eilberg,	Kubacki	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Eshleman,	Lawyer,	Pomeroy,	Willaredt,
Ewing,	Leiby,	Price,	Williams,
Farabaugh,	Leisey,	Pursley,	Wilt,
Filo,	Leonard,	Readinger,	Wood,
Fineman,	Leven,	Reibman,	Worley,

Flint,	Limper,	Renwick,	Yetter,
Floyd,	Light,	Reidenbach,	Yetzer,
Flynn,	Lippincott,	Rigby,	Young,
Foster,	Lopresti,	Rosen,	Ziegler,
Frank,	Lovett,	Rovansek,	Andrews,
Frascella,	Lutty,	Royer,	Speaker
Frost,			

NAYS—0

NOT VOTING—2

Keller, McKeever,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 343, entitled:

An Act amending the act of June 2, 1915 (P. L. 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," providing for payment by insurance carrier held liable by decision of referee and filing of bond by insurance carrier relieved of liability conditioned upon payment of amount of its liability fixed by final appellate decision.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, at the request of the Majority Leader, I move that this bill be recommitted to the Committee on Workmen's Compensation.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

House Bill No. 369, Printer's No. 316,
House Bill No. 370, Printer's No. 868,
House Bill No. 873, Printer's No. 875,
House Bill No. 929, Printer's No. 876,
House Bill No. 1055, Printer's No. 930, and
House Bill No. 1219, Printer's No. 383,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1236, entitled:

An Act to repeal the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1161) entitled "An act to provide for the prompt peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric gas water and steam heat services to the public and their employes which cause or threaten to cause strike lockouts slowdowns or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service providing procedures for the adjustment and settlement of such disputes declaring that the public policy of the Commonwealth requires the continuation without cessation of such public utility services and providing means including regulations affecting the rights powers and privileges of employers and employes for the enforcement of such public policy and providing penalties"

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, at the request of the Majority Leader, I move that this bill be recommitted to the Committee on Labor Relations.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

House Bill No. 1388, Printer's No. 934,
House Bill No. 1391, Printer's No. 935,
House Bill No. 1560, Printer's No. 1018,
House Bill No. 1562, Printer's No. 607,
House Bill No. 1618, Printer's No. 837,
House Bill No. 1695, Printer's No. 950,
House Bill No. 1707, Printers No. 842,
House Bill No. 1773, Printer's No. 959,
House Bill No. 1781, Printer's No. 974,
Senate Bill No. 192, Printer's No. 246, and
Senate Bill No. 457, Printer's No. 248,

were passed over at the request of the SPEAKER.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 229

The SPEAKER laid before the House the report of the Committee of Conference on House Bill No. 229.

The SPEAKER. The report will lie over for printing under the Rules.

PERMISSION TO ADDRESS HOUSE

Mr. FRANK asked and obtained unanimous consent to address the House.

The word "tax" is on the lips of everyone. We are asked, "How is this great State of Pennsylvania going to raise enough money to take care of its share of education, health and welfare, especially since millions of dollars of the financial burden has fallen upon the State Government?"

We hear of many ways of raising money for needed revenue.

I would like to give you my personal opinion with respect to this much debated question and offer some suggestions that may be helpful in raising many millions of dollars — ways that I feel are much less burdensome to the majority of the people of the Commonwealth.

Right here in the House there is a Bill on Horse Racing which has not even come out of Committee. I am not a horse racing enthusiast, nor do I visit race tracks. I am not a gambling person and would not pay a dollar to see the best horses run, but here is definitely a way to raise revenue that might bring in between forty to sixty million dollars every two years. Instead of batting this issue back and forth, endlessly, why don't we present it for action one way or the other? How about putting this on the ballot for definite vote by the people?

How about pari-mutuel harness racing, for getting revenue?

I am very much in sympathy with the merits of the arguments presented by various church groups against this sort of thing, but I am wondering if some of our neighboring states are not fighting this matter very strongly because they don't want to lose to us some of the revenue they are receiving from it?

How about the bills on skillo or bingo — or a state lottery? These surely would also bring in money for the Commonwealth.

We might also check into the cooperatives. They certainly can contribute more in taxes.

Another important group that can well stand a portion of taxes is the large chain store group; those in the Commonwealth and those from out of the Commonwealth that operate here. They are receiving the cream of the public's pocketbook and are giving such strong competition to the small business man that they are putting him out of business or giving him an extremely strenuous fight for his very existence.

What about collecting revenue on the motor horsepower of cars?

Can't we shave off a bit of the appropriation of State-aid to building of new schools? Now don't misunderstand me. I am strongly in favor of good schools and the best education available for our children, but can't we eliminate some of the fancy and extra frills for which some of these districts are asking money to build new schools? It seems to me what is most important is that we pay substantial salaries to obtain qualified teachers, first, and let the frills and furbelows come when money is available. Any well-lighted, completely equipped school building, reasonably modern, is sufficient. It is the teacher that teaches the child, not the three or four million dollar fancy schools. I say spend half that amount — not build architect's memorial.

Let's cut out playing checkers and get some of these revenue raising bills in action.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1799.

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955.

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1799.

An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1003.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for a limited period to certain nonresidents.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 6, by inserting after the word "workmen" the following: "to be employed on Pennsylvania farms"; line 7, by striking out after the word "for" the following: "use in harvesting seasonal crops' and inserting in lieu thereof the following: "seasonal crop operations on Pennsylvania farms"; line 18, by striking out after the word "or" the following: "in harvesting seasonal crops" and inserting in lieu thereof the following: "seasonal crop operations on Pennsylvania farms";

Pages 5, line 2, by inserting after the word "Commonwealth" the following: vehicles for which special permits are obtained pursuant to this subsection shall be subject to inspection of their mechanism and equipment as required of other vehicles by this act.

On the question,

Will the House concur in the amendments made by the Senate?

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 28, 1955.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Wednesday, October 5, 1955, at two-thirty o'clock p. m. EST, and when the House of Representatives adjourns this week, it reconvene on Wednesday, October 5, 1955, at a time to be fixed by the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT

Mr. HOCKER. Mr. Speaker, I move that this House do now adjourn until Wednesday, October 5, 1955, at 10:00 a. m. EST.

The motion was agreed to, and (at 11:25 a. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., WEDNESDAY, OCTOBER 5, 1955. No. 95.

SENATE

WEDNESDAY, October 5, 1955

The Senate met at 2:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

In the absence of the Chaplain, the following prayer was offered by the gentleman from Berks, Mr. RUTH:

Almighty God, our Heavenly Father, we thank Thee for this opportunity to meet together again and to render the services that are expected of us by our people.

Help us, through Thy wisdom, to coordinate our thinking so that we may do those things which will do the best things for our State.

We pray that Thou wilt bless the President of our Country in his hour of trial, that he may be speedily restored to health and strength. Bless the member of our body who is indisposed, and especially we pray for the employee of our Senate, who has been a real servant to everyone, in his hour of trial. Stand very close to him and restore him again to health.

Guide us that we may do always those things which will bring friendship closer into the hearts of everyone. In the Master's name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. CHAPMAN, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF JOHN K. MANOCK AS A MEMBER OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 5, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 26, 1955, for the appointment of John K. Manock, Bedford, Bedford County, as a member of the Board of Trustees of Hollidaysburg State Hospital, for the term of four years and until his successor is appointed and qualified vice Maurice F. Clouse, Waterside, removed from office.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

NOMINATION BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 5, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas E. Shipley, Meyersdale, Somerset County, for appointment as a member of the Board of Trustees of Somerset State Hospital, for the term of four years and until his successor is appointed and qualified, vice Anthony J. Anodide, Somerset, resigned.

GEORGE M. LEADER.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 508, PRINTER'S No. 178

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 29, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 508, Printer's No. 178, entitled "An act amending the act of June 23, 1931 (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' requiring directors of departments to

prepare and submit quarterly reports to the Director of the Depatment of Accounts and Finance."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL No. 510, PRINTER'S No. 214

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 29, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 510, Printer's No. 214, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' further regulating appropriations for maintenance and operation of recreation places."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL No. 604, PRINTER'S No. 221

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 27, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 604, Printer's No. 221, entitled "An Act amending the act of May 1, 1933 (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' further prescribing the contents of the township report made by the auditors."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL BILL NO. 605, PRINTER'S NO. 222

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, September 27, 1955

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 605, Printer's No. 222, entitled "An Act amending the act of June 24, 1931 (P. L. 1206) 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' authorizing the township officers of two or more counties to form joint county associations.

GEORGE M. LEADER.

HOUSE MESSAGES

SENATE BILL No. 455
RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 455, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," eliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by an Authority.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 154, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278), entitled "'General County Law," authorizing the closing of court houses and other county offices on Saturdays.

Which was committed to the Committee on Local Government.

House Bill No. 803, entitled:

An Act creating an Anthracite Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to anthracite coal mines and the preparation of a modern code relating thereto; and making an appropriation.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1027, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire two acres of land, more or less, in the Borough of Danville, Montour County, Pennsylvania, for use of Danville State Hospital; and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1028, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire land in the Borough of Riverside, Northumberland County, Pennsylvania, for use of Danville State Hospital; and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1035, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire land in the City of Nanticoke, Luzerne County, for the use of Nanticoke State Hospital; and making appropriations.

Which was committed to the Committee on State Government.

House Bill No. 1036, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire .326 of an acre, more or less, of land in Newport Township, Luzerne County, for the use of Retreat State Hospital; and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1150, entitled:

An Act amending the act of June 27, 1923 (P. L. 858), entitled "State Employes Retirement Law," defining employes of the Pennsylvania Tunnel Commission as State employes.

Which was committed to the Committee on State Government.

House Bill No. 1566, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," regulating the acceptance of nonresident school children.

Which was committed to the Committee on Education.

House Bill No. 1567, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for payments on accounts of nonresident pupil transportation.

Which was committed to the Committee on Education.

House Bill No. 1579, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for pupil transportation in institutions and providing for reimbursements.

Which was committed to the Committee on Education.

House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land with buildings thereon in the Borough of Indiana, Indiana County, Pennsylvania for the use of the Indiana State Teachers College, and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1615, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land, with buildings thereon, in the Township of White, Indiana County, Pennsylvania, containing 7.486 acres more or less for the use of the Indiana State Teachers College; and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1616, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land in the Borough of Indiana, Indiana County, Pennsylvania, containing 2.5 acres more or less for the use of the Indiana State Teachers College, and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1692, entitled:

An Act directing the Legislative Reference Bureau to compile and publish a revised compilation of laws relating to war veterans, and making an appropriation.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 1723, entitled:

An Act to further amend section two hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929" by providing that State policemen assigned to duty with the Pennsylvania Turnpike Commission shall not be counted against the total number of officers and men in the State Police Force.

Which was committed to the Committee on State Government.

House Bill No. 1780, entitled:

An Act making an appropriation to the Insurance Commissioner as Statutory Liquidator to enable him to liquidate dissolved insurance companies associations and exchanges which have insufficient assets for such liquidation.

Which was committed to the Committee on Insurance.

House Bill No. 1787, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the establishment of a professorship in the School of Medicine.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of County Boards of Assistance:

BERKS COUNTY

William E. Noman (Dem.), R. D. 2, Boyertown, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Edward L. Seasholtz, Reading, whose term expired.

LeRoy Mohn (Dem.), 545 McKnight Street, Reading, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice John F. McGlinn, Reading, whose term expired.

Mrs. Fern Amelia Brossman (Dem.), 4249 Kutztown Road, South Temple, Temple, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice Mrs. Francesca E. Hartman, Reading, whose term expired.

Leroy K. Lauck (Dem.), 221 West Penn Avenue, Robesonia, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice John A. Taylor, Jr., Boyertown.

Mrs. Jean S. Schoffstall (Dem.), 1337 Garfield Avenue, Wyomissing to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Darrell O. Smith, Reading, resigned.

Philip D. Rowe, Jr. (Rep.), 817 Kenhorst Boulevard, Reading, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Francis J. Kaczmarek, Reading, resigned.

CAMERON COUNTY

Miss Ellen Shafer (Dem.), Sinnemahoning, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice Domenick Manginell, Jr., Emporium, resigned.

CUMBERLAND COUNTY

Mrs. Josephine Hobart Myers (Dem.), 249 North 27th Street, Camp Hill, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Mrs. Mary E. Brandon, Lemoyne, resigned.

Mrs. Ann Blumenthal (Dem.), 265 South College Street, Carlisle, from January 1, 1955, until December 31, 1957,

and until her successor is duly appointed and qualified.

Mrs. Rebecca S. McCrea (Dem.), Newville, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Bruce M. Bowman, Newville, whose term expired.

GREENE COUNTY

Mrs. Elizabeth O. Miller (Dem.), 285 East High Street, Waynesburg from January 1, 1955, until December 31, 1957, and until her successor is duly appointed and qualified.

Albert A. Sayers, Esq. (Rep.), 167 W. College Street, Waynesburg, to serve until December 31, 1956. (Reappointment).

Andrew T. Urda (Dem.), 371 Sherman Avenue, Nemacolin, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice J. E. Bissett, Deep Valley, whose term expired.

Cooke Stephenson (Dem.), P. O. Box 502, Waynesburg, to serve until December 31, 1957 and until his successor is duly appointed and qualified, vice Millard G. Shriver, Waynesburg, whose term expired.

Ezra D. Hoge (Dem.), R. D. 2, Dunns Station, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Josephus Hartley, Greensboro, whose term expired

Mrs. Brenda McClure Donley (Dem.), Mount Morris, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Mrs. Mabel C. Baily, Waynesburg, whose term expired.

Charles L. Carpenter (Dem.), Graysville, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice William M. Funk, Carmichaels, whose term expired.

NORTHAMPTON COUNTY

John Field Oldt, Esq. (Dem.), 916 Fairfield Avenue, Easton, to serve until December 31, 1957. (Reappointment).

GEORGE M. LEADER.

WORKMEN'S COMPENSATION REFEREES

Commonwealth of Pennsylvania
Governor's Office Harrisburg, August 9, 1955.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Workmen's Compensation Referees, to serve until the third Tuesday of January 1959, and until their successors shall have been appointed and qualified:

Joseph A. Kozak, 251 North Main Street, Wilkes-Barre, Luzerne County, vice Joseph P. Olexy, Wilkes-Barre, removed from office.

Edmund J. McCullough, 17 North Poplar Street, Hazleton, Luzerne County, vice Charles J. Bufalino, Pittston, removed from office.

GEORGE M. LEADER

REPORT FROM COMMITTEE

Mr. CHAPMAN, from the Committee on Appropriations reported as committed, Senate Bill No. 657, entitled:

An Act amending the act of August 22, 1953 (Appropriation Acts 101), entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school," increasing the per capita annual maintenance rate of wards of the Commonwealth.

BILLS INTRODUCED AND REFERRED

Messrs. FLEMING and KOPRIVER, JR., read in place and presented to the Chair Senate Bill No. 784, entitled:

An Act amending the act of January 14, 1952 (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled ' An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties,' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes." extending the time for applying for certain retirement credits after military service.

Which was committed to the Committee on Education.

Messrs. PECHAN, WHALLEY and WAGNER, read in place and presented to the Chair Senate Bill No. 785 entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursements to school districts.

Which was committed to the Committee on Appropriations.

Mr. STIEFEL, read in his place and presented to the Chair Senate Bill No. 786, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utlity business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations companies and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; pre-

scribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent wih this act," redefining "Public Utility" to include operation of certain itinerant amusements.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 787, entitled:

An Act amending the act of May 14, 1925 (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof; creating a special fund in the State Treasury; and providing penalties," requiring display cards to bear the seal of approval of the Department of Agriculture, and a statement that the drink is harmless and its composition.

Which was committed to the Committee on Agriculture.

Messrs. WEINER and MILLER read in place and presented to the Chair Senate Bill No. 788, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," creating a new class of licenses entitled "retail distributor licenses."

Which was committed to the Committee on Law and Order.

PERSONAL PRIVILEGE

Mr. FLEMING. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny, Mr. Fleming, will state his question of personal privilege.

Mr. FLEMING. Mr. President, last Wednesday Senate Bill No. 722 was on the Calendar of this body and, as you know, a lot of the Members were not here; I was not present at the time. Inadvertently the bill was called up and was passed, and I am recorded as having voted for it.

I would like the record to show that had I been in attendance at that time, I would not have voted for this bill. I believe that it is bad legislation, I do not think it is good and I certainly would have arisen at that time and opposed it.

SENATE CONCURRENT RESOLUTION

RECALLING SENATE BILL No. 603 FROM THE GOVERNOR

Mr. STEVENSON offered the following resolution which was twice read, considered and agreed to:

In the Senate, October 5, 1955.

Resolved (if the House of Representatives concur), that Senate Bill No. 603, Printer's No. 220, entitled "An act amending the act of June 24, 1937 (P. L. 2017) entitled 'An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealh regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws' authorizing the sale of surplus farm products and other personal property," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, we have been hearing a great deal lately in the news about the Arctic and the Arctic area.

It was unknown to me, and I believe to many members and persons who live in this Commonwealth, that the actual founding of the Arctic area and the learning of a great deal of the geodetic information which we have today about the Arctic area was founded by a man from Philadelphia whose name was Doctor Elisha Kent Kane.

Mr. President, he found this area about 100 years ago and he was the one person who led the trail to the Arctic area, and who later has been followed by Mr. Perry, Mr. Bryd and other gentlemen who proceeded into that area. His name has been proposed at New York University for the Hall of Fame.

I believe it should be noted by the Members of this body, and the Commonwealth, that this man only lived to the age of thirty-seven years. He was born in 1820 and died in 1857.

Mr. President, this trip which he took was taken in 1855. The one remarkable thing about this trip was that his ship was icebound, and he made a trip in eighty-three days, by foot, across a vast waste of ice covering 1300 miles and he only lost one person, who died because of a disease contacted prior to going on this expedition. He was the one man, and I believe the record stands even to this day, who went farther into the Arctic area than any other explorer, either before or since then. He was one of the original men who laid claim for the United States to that area which we today hold as military bases and a military area.

I would, therefore, like to offer at this time the following resolution. I would also like to note, prior to the offering of the resolution, that the Senate and the House ad-

journed in 1857 in honor of his death. His body lay in state at Independence Hall for almost three days after he died, and most of the capitals throughout the United States, as well as the Capital in Washigton, carried their flags at half-mast for almost a period of thirty days.

Mr. President, I would like to offer at this time, and ask for its immediate consideration and adopton this resolution commemorating the 100th anniversary of Doctor Kane's expedition to the Arctic, and ask that after it is considered and adopted, a copy of this resolution be sent to the Electors For the Hall of Fame in New York. I am attaching a copy and a list of these Electors.

SENATE RESOLUTION

TRIBUTE TO DOCTOR ELISHA KENT KANE

Messrs. WEINER, SILVERT, HALUSKA and CAMIEL offered the following resolution which was twice read, considered and agreed to:

In the Senate, October 5, 1955.

This year marks the 100th anniversary of Dr. Elisha Kent Kane's expedition to the Arctic, which resulted in his reaching a point farther north than ever reached before by man.

Later, many Arctic expeditions, including that of Admiral Perry, were patterned after this expedition or derived great benefit from Dr. Elisha Kent Kane's records and experiences.

In recognition of Dr. Elisha Kent Kane's contribution to the field of Arctic exploration, which has gained him international repute, a proposal was presented to nominate this favorite son of Philadelphia to the New York University Hall of Fame; therefore be it

Resolved, That the members of the Senate of Pennsylvania pay tribute to Dr. Elisha Kent Kane, USN, a shining example of Philadelphia's culture, and warmly endorse his nomination for entry into the Hall of Fame of New York University; and be it further

Resolved, That copies of this resolution be transmitted to the members of the College of Electors for the Hall of Fame Elections for 1955.

PERMISSION TO ADDRESS SENATE

Mr. MULLIN asked and obtained unanimous consent to address the Senate.

Mr. MULLIN. Mr. President, the resolution which I am about to offer commends the Philadelphia Uhriks Soccer Team, which is the National Champion Soccer Team in the United States, for their winning of the championship which they recently earned.

SENATE RESOLUTION

CONGRATULATIONS OF SENATE EXTENDED TO THE PHILADELPHIA UHRIKS SOCCER TEAM

Mr. MULLIN offered the following resolution which was twice read, considered and agreed to:

In the Senate, October 5, 1955.

The Philadelphia Uhriks Soccer Team, representative of the City of Philadelphia in the American Soccer League. captured the league title in this their first full season of competition.

This achievement spotlights Philadelphia as the Nation's number one soccer city and Pennsylvania as the number one State.

Because of the fact that soccer is a universal sport that surmounts all barriers of prejudice and can be used as an instrument for the promotion of world peace, it is hoped that it may some day become one of the leading sports in the United States on a par with football, baseball and basketball.

The grand success of the Philadelphia Uhriks was due to a great measure to the efforts, ability and courage of the individual members, ten of whom are Philadelphia born and trained: Kurt Klaus, Howard Anderson, Charles McKnight, Erwin Antoni, Robert Yingling, Peter Kennedy, Edward Johnston, John Oliver, Walter Porter, Jack Ormond, captain Thomas Lambert, Thomas Oliver, Jack Ferris, Charles Jackson, James Lafferty, Harry Naughton, John Boyle, Walter Bahr, Manager William O'Neill, trainer James Kidd, equipment manager Gus Diehl and officers Anton M. Uhrik, Robert McCaig, Daniel Ahlfeld, William Walker, E. Michael Uhrik and Harold J. Freeman; therefore be it

Resolved, That the Senate hereby extends its congratulations to the Philadelphia Uhriks Soccer Team upon its winning the 1954-1955 American Soccer League Championship and to the individual members for their individual outstanding playing and sportsmanship; and be it further

Resolved, That copies of this resolution be sent to the Philadelphia Uhriks in Philadelphia.

SENATE RESOLUTION, SERIAL NO. 56, TAKEN FROM TABLE

Mr. STIEFEL. Mr. President, at this time I am calling up from the table Senate Resolution, Serial No. 56, which was reported last week favorably from the Committee on Forests and Waters, Game and Fish and ask for its immediate adoption.

I pointed out already that this was a resolution which will transfer very valuable and important old Senate bills, which are now gathering dust on the fifth floor of this building, to the Historical Commission.

Mr. President, I believe that we may find in these documents some important passages about the history of the Senate. In my opinion, and I appeal for the passage of this resolution, this will be a great contribution to the history of Pennsylvania.

The Clerk read the resolution as follows:

REQUESTING THE TRANSFER OF CERTAIN SENATE RECORDS TO THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

In the Senate, August 2, 1955.

In Room 528, E Floor of the Capitol, which is known as the Senate Transcribing Room, there are many old records of the Senate, beginning with the year 1822. These records are no doubt the oldest surviving records of the Senate and include much historical data, such as State and county election returns, beginning with the year 1840 and ending around 1900, petitions addressed to the Senate, and Senate bills in their original form as introduced.

Space in the Transcribing Room is sorely needed. The old historical records, some of which are undoubtedly priceless as part of Pennsylvania's cultural heritage, are impeding current Senate operations. The scarcity of space has necessitated storing these old records in such a manner that it is impossible to make a careful study to determine their true historical value.

These old historical records of the Senate are of no present practical value to the Senate. It therefore seems wise and proper that the records between the years 1822 to 1910 be transferred to and put under the custody of the commission which retains historical data that inures to the cultural benefit of the citizenry of the Commonwealth of Pennsylvania; therefore be it

Resolved, That the Senate of Pennsylvania permanently transfer all historical Senate records between the years 1822 to 1910 which are stored in the Senate Transcribing Room to the custody of the Division of Public Records within the Pennsylvania Historical and Museum Commission

MOTION TO ADOPT RESOLUTION

Mr. STIEFEL. Mr. President, I move that the resolution just read be adopted.

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. PECHAN. Mr. President, may the Senate be at ease?

(The Senate was at ease.)

MOTION TO ADOPT RESOLUTION WITHDRAWN AND RESOLUTION LAID ON THE TABLE

Mr. STIEFEL. Mr. President, I withdraw my motion to adopt the resolution.

Mr. McGINNIS. Mr. President, I withdraw my second to the motion.

The PRESIDENT. The resolution will be returned to the table.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WADE, on behalf of Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WADE and Mr. WOLFE,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of County Boards of Assistance:

BERKS COUNTY

William E. Norman (Dem.), R. D. 2, Boyertown, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Edward L. Seasholtz, Reading, whose term expired.

LeRoy Mohn (Dem.), 545 McKnight Street, Reading, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice John F. McGlinn, Reading, whose term expired.

Mrs. Fern Amelia Brossman (Dem.), 4249 Kutztown Road, South Temple, Temple, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice Mrs. Francesca E. Hartman, Reading, whose term expired.

Leroy K. Lauck (Dem.), 221 West Penn Avenue, Robesonia, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice John A. Taylor, Jr., Boyertown.

Mrs. Jean S. Schoffstall (Dem.), 1337 Garfield Avenue, Wyomissing, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Darrell O. Smith, Reading, resigned.

Philip D. Rowe, Jr. (Rep.), 817 Kenhorst Boulevard, Reading, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Francis J. Kaczmarek, Reading, resigned.

CAMERON COUNTY

Miss Ellen Shafer (Dem.), Sinnemahoning, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice Domenick Manginell, Jr., Emporium, resigned.

CUMBERLAND COUNTY

Mrs. Josephine Hobart Myers (Dem.), 249 North 27th Street, Camp Hill, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Mrs. Mary E. Brandon, Lemoyne, resigned.

Mrs. Ann Blumenthal (Dem.), 265 South College Street, Carlisle, from January 1, 1955, until December 31, 1957, and until her successor is duly appointed and qualified.

Mrs. Rebecca S. McCrea (Dem.), Newville, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Bruce M. Bowman, Newville, whose term expired.

GREENE COUNTY

Mrs. Elizabeth O. Miller (Dem.), 285 East High Street, Waynesburg, from January 1, 1955, until December 31, 1957, and until her successor is duly appointed and qualified.

Albert A. Sayers, Esq. (Rep.), 167 W. College Street, Waynesburg, to serve until December 31, 1956. (Reappointment)

Andrew T. Urda (Dem.), 371 Sherman Avenue, Nemacolin, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice J. E. Bissett, Deep Valley, whose term expired.

Cooke Stephenson (Dem.), P. O. Box 502, Waynesburg, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Millard G. Shriver, Waynesburg, whose term expired.

Ezra D. Hoge (Dem.), R. D. 2, Dunns Station, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Josephus Hartley Greensboro, whose term expired.

Mrs. Brenda McClure Donley (Dem.), Mount Morris, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Mrs. Mabel C. Baily, Waynesburg, whose term expired.

Charles L. Carpenter (Dem.), Graysville, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice William M. Funk, Carmichaels, whose term expired.

NORTHAMPTON COUNTY

John Field Oldt, Esq. (Dem.), 916 Fairfield Avenue, Easton, to serve until December 31, 1957. (Reappointment)

GEORGE M. LEADER.

WORKMEN'S COMPENSATION REFEREES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 9, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Workmen's Compensation Referees, to serve until the third Tuesday of January 1959, and until their successors shall have been appointed and qualified:

Joseph A. Kozak, 251 North Main Street, Wilkes-Barre, Luzerne County, vice Joseph P. Olexy, Wilkes-Barre, removed from office.

Edmund J. McCullough, 17 North Poplar Street, Hazleton, Luzerne County, vice Charles J. Bufalino, Pittston, removed from office.

GEORGE M. LEADER.

A motion was made by Mr. WADE and Mr. WOLFE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Stevenson,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WADE. Mr. President, I move that the Executive Session do now rise.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL NO. 595 TAKEN FROM TABLE

Mr. HALUSKA. Mr. President, I call up from the table at this time Senate Bill No. 595, Printer's No. 219, which was recalled from the Governor, for the purpose of amendment.

RECONSIDERATION OF SENATE BILL NO. 595

Mr. HALUSKA. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 595, entitled:

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," authorizing cities to regulate or prohibit the construction, building or maintenance of certain fences made in whole or in part of wire with barbs.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. HALUSKA. Mr. President, I voted with the majority.

Mr. LANE. Mr. President. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, I move to reconsider the vote by which the bill passed the third reading.

The PRESIDENT. How did the Senator vote?

Mr. HALUSKA. Mr. President, I voted with the majority.

Mr. LANE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the majority

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1 (Section 3), page 2, line 7, by striking out after the word "fences" and before the word "made" the following: "under five feet in height".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Third Reading Calendar.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 262, Printer's No. 255, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 268, as follows:

An Act amending the act of May 5 1933 (P L 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further defining and limiting the rights powers duties liabilities and immunities of such associations and making further provisions governing the transfer of shares the payment of trustee accounts authorized investments security for mortgage loans and loans secured by chattel paper

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section 2 act of May 5 1933 (P L 457) known as the "Building and Loan Code" is amended by adding after the definition of "incorporator" a new definition to read

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

* * *

"Leasehold interest" means a lease upon real estate which is security for the payment of an obligation and which by its terms is a lease having a period of not less than fifty years to run from the date the obligation on such leasehold is executed or is renewable for a period of at least fifty years from the date of the obligation and the right of renewal of the lease on behalf of the lessee shall be vested in the mortgagee until the obligation is eliminated or paid off

* * *

Section 2 The definition of "mortgage loans" in subsection A of section 2 of the act amended May 15 1945 (P L 485) is amended to read

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

* * *

"Mortgage Loans" means loans which are secured pursuant to the provisions of this act by the bond of the borrower by a mortgage on real [property] estate in fee simple or on a leasehold and by installment shares or direct reduction loan shares

* * *

Section 3 Section 610 of the act is amended to read

Section 610 Death of One Holding Shares as Trustee Whenever shares of an association shall be issued to any person describing himself in subscribing for such shares as trustee for any person or persons and no other notice of the existence and terms of a valid trust than such description shall have been given to the association the dividends or earnings on such shares as well as the withdrawal or maturity value of such shares shall in the event of the death of the person so described as trustee be paid to the person or persons for whose benefit the shares were stated to have been subscribed if at the time of [such death] payment such beneficiary is over sixteen years of age [If he is a minor not less than sixteen years of age such payment] Payment shall be made to [him] any such beneficiary who is not less than sixteen years of age under the same conditions as [in the case of] if such shares had been originally subscribed for by [such minor] him If there are two or more beneficiaries named on any such shares the association shall in the absence of written notice to the contrary make payment to such of the beneficiaries as may survive the trustee in equal portions The receipt or acquittance of any such beneficiary or beneficiaries for payments made in accordance with this section shall be a full complete and valid release of the association from any further liability for the amounts so paid

Section 4 Section 611 of the act amended March 15 1937 (P L 63) is amended to read

Section 611 Transfer of Shares A Installment optional payment or direct reduction loan shares [for which share certificates have not been issued] shall be transferable in the manner provided by the by-laws of the association or in the manner provided on any certificate that may be issued for such shares provided such [by-laws] by-law or certificate provisions are not inconsistent with law

B Except as otherwise specifically provided in this act the transfer of full-paid shares [for which share certificates have been issued] and the share certificates representing them [may be regulated by the by-laws provided such by-laws are not inconsistent] shall be in accordance with the provisions of the Uniform [Stock Transfer Act approved the fifth day of May one thousand nine hundred eleven (P L one hundred twenty-six)] Commercial Code of April 6 1953 (P L 3) its amendments and supplements

Section 5 Section 803 of the act amended May 15 1945 (P L 485) is amended to read

Section 803 Authorized Investments [A] Except as otherwise specifically provided in this act an association shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged

(2) Bonds [or] debentures [issued by a] or other obligations of the Federal Home Loan [Bank or consolidated debentures issued by the Federal Home Loan Bank Board] Banks issued under the provisions of the Federal Home Loan Bank Act approved the twenty-second day of July one thousand nine hundred thirty-two its amendments and supplements

(2.1) Bonds or interest-bearing debentures issued by the Federal Savings and Loan Insurance Corporation under the provisions of Title IV of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred thirty-four its amendments and supplements

(3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or those for the payment of principal and interest on which the faith and credit of this Commonwealth is pledged

(4) Obligations issued by the Federal National Mortgage Association under the provisions of the National Housing Act its amendments and supplements but the aggregate amount of all such investments held by an association at any one time shall not exceed five per centum of its total share capital

(5) Stock of the Federal National Mortgage Association acquired by an association through making nonrefundable capital contributions in connection with the sale of mortgages to the Federal National Mortgage Association

Section 6 Section 811 of the act is amended by adding at the end thereof a new subsection to read

Section 811 Prohibition Upon Accepting Deposits or Discounting Commercial Paper

* * *

c Subject to the provisions of subsections a and b of this section the provisions of this or any other act shall not be construed to prohibit an association or a Federal savings and loan association operating in Pennsylvania from acting as agent for the sale of express company money orders and travelers checks or from receiving from its shareholders or members money for transmission through the Federal Home Loan Bank of which the association is a member

Section 7 Subsections A and B of section 903 of the act amended May 15 1945 (P L 485) and June 12 1951 (P L 524) are amended to read

Section 903 Security for Mortgage Loans A An association shall grant mortgage loans to its shareholders or to any person intending to become a shareholder upon the following security only

(1) The bond of the borrower secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of the loan and further secured by a mortgage upon real [property which belongs to] estate owned by the borrower in fee simple or in which he has a leasehold interest as tenant under a lease such mortgage being for at least the full amount of the loan A loan secured in this manner shall be known as a share-mortgage loan and the mortgage securing such loan as a share mortgage

(2) The bond of the borrower secured by the transfer and pledge to the association of one direct reduction loan share in such association which belongs to the borrower and further secured by a mortgage upon real [property which belongs to] estate owned by the borrower in fee simple or in which he has a leasehold interest as tenant under a lease such mortgage being for at least the full amount of the loan The mortgage contract shall provide for monthly payments starting not later than sixty days after the advance of the loan Provided however That on any mortgage loan granted to finance new construction an association may postpone the first monthly payment until completion of the improvement but not later than twelve months after the date of the first advance made on the loan A loan secured in this manner shall be known as a direct reduction mortgage loan and the mortgage securing such loan as a direct reduction mortgage

(3) The bond of the borrower secured by a mortgage upon real [property which belongs to] estate owned by the borrower in fee simple or in which he has a leasehold interest as tenant under a lease such mortgage being for an amount not to exceed one-half of the amount of the loan such portion of the loan to be known as the straight-mortgage portion of the loan and a bond for the remainder of the loan secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of such remainder of the loan and further secured by a mortgage upon [such real property] the real estate or leasehold interest as aforesaid for an amount equal to such remainder of such loan such remainder of such loan to be known as the share-mortgage

portion of the loan A loan secured by both a straight mortgage and a share mortgage in this manner shall be known as a split-mortgage loan A split-mortgage loan may also be in the form of a single bond and mortgage which meets all the requirements of this section.

The straight-mortgage portion of a split-mortgage loan shall not be secured by shares and an association shall not charge fines upon such portion of the loan

An association shall not demand payment of the straight-mortgage portion of a split-mortgage loan except in case of a default by the borrower in the terms of the loan until the share-mortgage portion of such loan has been repaid in full by the maturing of the shares assigned or pledged as security therefor or by any other method Upon such payment of the share-mortgage portion of a split-mortgage loan an association shall either demand and enforce payment of the straight-mortgage portion of the loan or convert such loan to a share-mortgage loan or to a direct reduction mortgage loan upon the transfer and pledge to the association of installment shares [or direct reduction loan shares] in such association which belong to the borrower and which have a par value at least equal to the amount of such loan or of one direct reduction loan share in such association which belongs to the borrower

(4) The bond of the borrower secured by a mortgage upon real [property which belongs to] estate owned by the borrower in fee simple or in which he has a leasehold interest as tenant under a lease such mortgage being for the full amount of the loan but without provision for monthly amortization for a term not exceeding ten years Provided That the loan except as hereinafter provided does not together with any other loans held by such association upon such property exceed fifty per centum of the fair market value of such property And provided further That if such a loan is made for a term not exceeding one year and for the purpose of financing new construction it may be made in an amount not to exceed eighty per centum of the fair market value of a one to four family property or seventy per centum of the fair market value of a five or six family property And provided further That the aggregate amount of all loans made [pursuant to the provisions of this subsection] without provision for monthly amortization to all persons and corporations shall not exceed fifteen per centum of the total assets of such association

B An association shall not grant any mortgage loan upon real property owned by the borrower in fee simple unless the mortgage securing such loan [(1)] is a first lien upon unencumbered improved real property the improvement being a dwelling for not more than six families which is used or to be used in whole or in part for residential purposes or upon real property upon which such a building is in the process of construction situated anywhere within the Commonwealth or within fifty miles of a boundary thereof or where it is not a first lien upon such property every equal or prior lien is owned by the association [and (2) does not]

An association shall not grant any mortgage loan secured by a mortgage upon a leasehold interest in real property leased to the borrower as tenant under a lease unless (1) the property so leased is improved real property the improvement being a dwelling for not more than six families which is used or to be used in whole or in part for residential purposes or unless such a building is in the process of construction situated anywhere within the Commonwealth or within fifty miles of a boundary thereof and (2) the loan on a leasehold interest otherwise conforms to such rules and regulations as may be prescribed by the Secretary of Banking with the approval of the Building and Loan Board

An association shall not grant any mortgage loan which together with any other [lien] outstanding loan held by such association and secured by a mortgage upon such property or such leasehold interest shall exceed eighty per centum of the fair market value of a one to four family property or seventy per centum of the fair market value of a five or six family property Provided however That any mortgage loan may be increased by the withdrawal value upon the day of the granting of such loan of shares to be assigned or pledged to the association by the borrower or by any other shareholder as additional security for such loan Any additional shares assigned or pledged as additional collateral security for the mortgage loan by the borrower or any other shareholder may be released by the association whenever the mortgage loan otherwise meets all of the requirements of this act and could be legally made at the time of release without the requirement of additional collateral provided also That an association may accept and hold additional collateral of any kind if the loan meets all of the requirements of this act and could have been legally made without such additional collateral [An association shall not take any lien upon real property as security for a mortgage loan if such lien is in status equal to any lien owned by any other corporation or person]

Without regard to the limitations set forth in this subsection an association may grant any mortgage loan which is insured or guaranteed in whole or in part by the United States or any instrumentality thereof or if there is a commitment to so insure or guarantee Provided That the real estate security therefor shall be a building used or to be used in whole or in part for residential purposes situated within the Commonwealth or within fifty miles of a boundary thereof

The provisions of this subsection shall not be construed to apply to a purchase money mortgage taken by an association upon real property or leasehold interest in real property owned by it nor to the readjustment or refinancing in any other manner of a mortgage loan owed to the association upon the effective date of this act

* * *

Section 8 Section 914 of the act added April 20 1949 (P L 656) is amended to read

Section 914 Title I FHA Loans Notwitstanding any other provisions of this act an association may grant loans [to any of its mortgage borrowers] for the repair alteration or improvement of [the mortgaged real estate on the security of a note which is] real property without the necessity of mortgage security when such loans are insured or will be insured under Title I of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred thirty-four its amendments and supplements Such loans may be granted in any amount and on any terms [that may be acceptable to the Federal Housing Administration] permitted by the said National Housing Act or the regulations issued thereunder but the aggregate amount of all such loans held by an association at any one time shall not exceed fifteen per centum of its total assets

Section 9 Section 915 of the act added May 23 1947 (P L 272) is amended to read

Section 915 [Chattel Mortgages] Loans Secured by Chattel Paper When an association holds a mortgage on real estate [as security for a loan] or on a leasehold interest therein it may also grant a [chattel mortgage] loan secured by chattel paper to the mortgagor of the real estate or leasehold interest to assist him in the purchase of consumer's durable goods such as electrical appliances ranges refrigerators awnings screens storm doors and sash furnace burners and equipment pertaining thereto space heaters air conditioning systems ventilating fans laundry equipment water heaters water supply equipment water treatment apparatus and similar items to be used in connection with the occupancy of the mortgaged premises Provided That the amount of [such chattel mortgage] the loan secured by such chattels shall not exceed seventy-five per cent (75%) of the purchase price of [said article] the chattels nor shall its term exceed (5) years No such [chattel mortgage] loan secured by chattel paper may be granted unless it [is] constitutes a first lien on the chattels described therein [nor shall the] The total of all [chattel mortgages granted] loans secured by chattle paper due an association at any one time in connection with chattels installed or used on any one piece of mortgaged

real estate or any one leasehold interest shall not exceed the sum of one thousand dollars ($1,000) Any [chattel mortgage] loan secured by chattel paper which is granted by an association in reliance on this section shall conform to the requirements of [the act approved the first day of June one thousand nine hundred forty-five (P L 1358)] article nine of the Uniform Commercial Code approved April 6 1953 (P L 3) its amendments and supplements In addition to [the chattel mortgage] obtaining a security agreement for such loans the association shall also secure a [bond or judgment] promisory note evidencing the borrower's agreement to repay the amount loaned such repayments to be made on a direct reduction basis in monthly installments over the term of the [chattel mortgage] loan The [bond or] note shall further provide that if the obligor shall sell the mortgaged real estate or assign his leasehold interest therein or remove therefrom any chattel described in the [chattel mortgage] security agreement the entire balance remaining due on the [chattel mortgage] loan shall immediately become due and payable No [title] examination of the public records shall be required in connection with [the granting of any chattel mortgage provided the] a loan secured by chattel paper if the borrower is newly acquiring title to all the chattels described in the security agreement and the seller of the chattels [furnished] furnishes the association with a receipted bill of sale for the [chattels described in the mortgage] same

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 268

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amenments made by the House to Senate Bill No. 268.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. LANE. Mr. President, it was my understanding from Senator Pechan that he was going to carry this bill over in order today, in view of the fact that he supplied me with some material which I forwarded to the Highway Department and as of this date it has not been returned to me.

Mr. President, I, therefore, ask unanimous consent that Senate Bill No. 721, Printer's No. 251, on final passage, go over in its order.

The PRESIDENT. Is there objection The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING, RECALLED FROM THE GOVERNOR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 306, Printer's No. 264, on third reading, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 162, as follows:

An Act amending the act of March ten one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing rental charge allowed for use of receiving district's school plant in calculating tuition charge per high school pupil to be paid by sending district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (3) of section 2561 act of March ten one thousand nine hundred forty-nine (P. L. 30) known as the "Public School Code of one thousand nine hundred forty-nine" amended August nineteenth one thousand nine hundred fifty-three (P. L. 1169) is amended to read

Section 2561 Tuition Charges for Pupils of Other Districts A school district or vocational school district receiving elementary or high school pupils or vocational or other extension education pupils who are residents of another school district or another vocational school district shall compute the tuition charges as follows

* * *

(3) High School Tuition Charge Add the salaries of supervisors principals clerks assistants and teachers employed in the receiving district's high schools the district's contribution to the retirement fund on behalf of teachers supervisors and principals employed in the district's high schools the cost of textbooks and supplies of the second class used in the district's high schools and divide the sum so obtained by the total number of pupils in average dailv membership in the receiving district's high schools The quotient so obtained shall be designated as the "instruction cost per high school pupil" Add to the instruction cost per high school pupil the overhead cost per pupil and a rental charge of [ten dollars ($10)] eighteen dollars ($18) per pupil for the use of the receiving district's school plant For the school years one thousand nine hundred fifty-two one thousand nine hundred fifty-three and one thousand nine hundred fifty-three one thousand nine hundred fifty-four only but not thereafter deduct from the amount so obtained the per pupil State appropriation on account of high school teaching units The cost so determined shall be the "tuition charge per high school pupil"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAMANY. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent. permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. MAHANY. Senator Dent, do you remember that when we first had this bill on the Calendar, you stated it would cost the Commonwealth, I believe, $1,200,000?

Mr. DENT. That is right.

Mr. MAHANY. Then later you found you were in error in regards to that amount, and that it would not cost the Commonwealth anything but would cost the forwarding district some money and the receiving district would, of course, receive that amount. You stated if we wanted to put the burden on the forwarding district we could do so.

Now, this bill was sponsored by two Democrats and I presume, perhaps, that it is an Administration bill. If the Administration would like to have this bill passed, I think we can find some Republican votes for it. However, if you feel that it is not good legislation, well, then, I will be happy to make a motion to recommit the bill. Therefore, I want to find out from you whether you and your group are for the bill or whether you are against it.

Mr. DENT. If you want to know what my reaction is, it is very plain. My reaction is that I am personally for it, because logically it is sound legislation. However, it is not Administration legislation. It was introduced by Representatives Polen and McCann, whom I have talked to since, and they tell me that the reason they put it in is because it is a matter of simple justice. A receiving school ought to at least receive the amount that it cost them to put their own pupils in the school district through school. If a sending school pays less than that amount, then it is not fair to the receiving school.

This is not an Administration bill and it is a matter of open caucus on our part. However, I personally intend to vote for it.

Mr. MAHANY. Thank you, Senator. I think you have convinced us that it is good legislation, and we will be happy to vote for it along with you.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WOLFE. Mr. President, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Union will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Fleming,	McGinnis,	**Silvert,**
Barr,	Haluska,	McMenamin,	**Stevenson,**
Berger,	Harney,	McPherson, Jr.,	Stiefel,
Blass,	Hays,	Miller,	**Taylor,**
Camiel,	Holland,	**Mullin,**	**Van Sant,**
Chapman,	Kessler,	Pechan,	**Wade,**
Derk,	Kopriver, Jr.,	Peelor,	**Wagner,**
Dent,	Lane,	Propert,	**Watkins,**
Diehm,	**Madigan,**	**Ruth,**	**Watson,**
DiSilvestro,	**Mahany,**	**Schmidt,**	**Weiner,**
Donolow,	**Mallery,**	**Scott,**	**Whalley,**
Flack,	**McCreesh,**	**Seyler,**	**Yosko,**

NAYS—1

Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representativse with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 340, as follows:

An Act amending the act of April 17 1947 (P L 63) entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities chase lease or condemnation land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases" extending the provisions of the act to cities of the second class excluding certain land from condemnation and further regulating the use of parking garages

The General Assembly of the Commonwealth of Pennsylvania hereby enact as follows

Section 1 The title and sections 1 and 2 of act of April 17 1947 (P L 63) entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases" are amended to read

An Act

Authorizing and empowering cities of the first and second class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases

Section 1 That the cities of the first and second class of this Commonwealth shall have the power and they are hereby authorized to acquire procure or obtain by purchase lease or condemnation any land within said cities with the buildings or structures erected thereon if any and to construct buildings and facilities thereon for the purpose of using such lands as and for parking lots or public garages whenever in the judgment of the city council acquisition of such lands may be necessary desirable or useful for the relief or abatement of congestion in its streets or highways except that no property in cities of the second class which is used as a facility or facilities for the parking of motor vehicles so long as said property is continuously so used and so long as the operation of the said facility complies with parking and traffic ordinance of the city shall be taken by condemnation for such purpose provided however that no property devoted to a public use nor any property as a public utility company property used for burial purposes nor places of public worship shall be condemned The title acquired by the city exercising the power of condemnation shall be a title in fee simple

Section 2 Whenever any lands shall be acquired by any such city for parking lots or garages they may be operated by such city as parking lots or garages for parking motor vehicles only but not for the sale or distribution of any commodity except that portions of the street level or lower floors of the parking garages may be leased for commercial use including emergency automobile repair service and the sale by any lessee of the

city of any commodity of trade or commerce or any service except the sale of gasoline or automobile accessories or when so provided by ordinance they may be let to and for private operation as parking lots or garages on such terms and conditions as may be prescribed by ordinance

Section 2 This act shall take effect immediately

And said bill having read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk reurn said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 648, Printer's No. 225; and

Senate Bill No. 649, Printer's No. 226.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 705, as follows:

An Act providing for the payment of certain outstanding checks more than seven years old and making appropriations therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums of money or so much thereof as may be necessary are hereby specifically appropriated to the Treasury Department for the purpose of payment of replacment chcks issued and requisitioned by the Treasury Department for the purpose of compensating any person issued a check between May 24 1943 and March 29 1946 both inclusive and not presented for payment

(A) Out of the General Fund	$ 27.90
(B) Out of the Motor License Fund	779.26
(C) Out of the State Workmen's Insurance Fund	31.72
(D) Out of the Unemployment Compensation Fund	93.00

Section 2 Any persons issued a check between May 24 1943 and March 29 1946 both inclusive who did not present the check for payment may present a claim for the payment of such check to the Department of the Auditor General for the purpose of examining and adjusting such claim in the manner provided by sections 306 405 and 1003 of the act of April 9 1929 (P L 343) known as "The Fiscal Code"

Section 3 If the Auditor General and State Treasurer determine that a moral claim exists against the Commonwealth for payment of the check and that such claim or claims are not adjustable or recoverable against the Commonwealth under existing law they shall make a finding to that effect and shall fix the sum which in their opinion will compensate the claimant for nonpayment of the check

Any amount so fixed by the Auditor General and the State Treasurer shall be payable from the appropriation hereinbefore made by requisition in the manner provided by law To each such requisition shall be attached the findings of the Auditor General and the State Treasurer

Section 4 If the Auditor General and the State Treasurer should for any reason refuse to grant a claim authorized to be made by this act the claimant shall have the right to appeal to the Board of Finance and Revenue and from the decision of that board to the Court of Common Pleas of Dauphin County in the manner prescribed by law

Section 5 No statute of limitations or other limitations as to time prescribed by law shall apply to or limit a claim made pursuant to the provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 794, Printer's No. 1001, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1637, as follows:

An Act making an appropriation to the Department of Property and Supplies for the payment of annual rates rentals and other charges to the General State Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five million five hundred thousand dollars ($25,500,000) or as much thereof as is necessary is hereby specifically appropriated to the Department of Property and Supplies for the two fiscal years beginning the first day of June one thousand nine hundred fifty-five for the payment of the annual rates rentals and other charges for the use and occupancy of or the right to use or occupy the projects structures buildings equipment and facilities leased by The General State Authority to the Commonwealth or for services rendered by the Authority or its projects Payment of such annual rates rentals and other charges shall be made in equal monthly quarterly or annual installments or otherwise as required by the respective leases.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, before we vote on this bill, I desire to read a letter into the record, addressed to me and signed by Andrew M. Bradley, Budget Secretary.

"Dear Senator Mahany:

"At the time the original budget requests were forwarded to us the information submitted substantiating the request for General State Authority rentals for the Department of Property and Supplies seemed to indicate that we were safe in requesting an appropriation of $23,000,000. However, subsequent to our presentation of the budget, information furnished to us indicated that based on the contemplated completion dates of the General State Authority projects that this figure might be too low.

"The General State Authority has forwarded information substantiating a figure of $25,500,000. This higher budget request has the approval of this office.

"Sincerely yours,

"Andrew M. Bradley
"Budget Secretary"

Mr. President, when this bill came over to the Senate from the House, it carried with it an appropriation of $23,000,000 and, I believe, Senator Dent, on second reading, introduced an amendment which increased the amount of the appropriation to $25,500,000 and this letter explains the reason for it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 172, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," requiring the Pennsylvania Game Commission to pay unrecovered costs of suit.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 386, entitled:

An Act amending the act of March 26, 1931 (P. L. 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" providing a fee for services in cases removed to any appellate court of this Commonwealth or to any court of the United States.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. FLEMING offered the following amendment:

Amend Sec. 1 (Sec. 1), page 3, line 9, by striking out "one".

On the question,

Will the Senate agree to the amendment?

Mr. SEYLER. Mr. President, in connection with this bill, I have not seen the amendments offered by the Gentleman from Allegheny, but it is our desire to make other amendments.

I would ask, with the gentleman's permission that, after his amendments are inserted, the bill be held on Second Reading so that that can be done.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 386, Printer's No. 1005, on second reading, go over in its order, as amended .

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 459, entitled:

An Act prohibiting operation of boats having a manufacturer's horsepower rating in excess of seven and one-half on Quaker Lake, in Susquehanna County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that House Bill No. 510, on second reading, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizating or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Forests and Waters to lease to religious groups.

be placed on the second reading postponed calendar.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, for the information of the Majority Floor Leader, I am having amendments prepared for this bill. Therefore, because I do not have the amendments quite ready, I ask unanimous consent that Senate Bill No. 584, Printer's No. 267, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 608, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the use of long bows and arrows for capturing or killing carp

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 620, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating speed designating a traffic court in certain political subdivisions further prescribing enforcement and penal provisions and imposing duties on certain pedestrians

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendment:

Amend Sec. 3, subsection (d) (Sec. 1002) page 5, line 18, by striking out "one-eighth (1/8)" and inserting in lieu thereof: "one-quarter (1/4)".

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendments:

Amend Sec. 4 (Sec. 1201) page 7, line 13, by striking out "or before a special traffic court as provided in subsection (c) of this section"; Amend Sec. 4 (Sec. 1201) page 9 by striking out all of lines 3 to 13 inclusive, and line 14 to and including the word "designated"; Amend Sec. 4 (Sec. 1201) page 10, line 3, by striking out the word "court" and inserting in lieu thereof: "nearest available magistrate"; Amend Sec. 4 (Sec. 1201) page 10, line 11, by striking out "special traffic court" and inserting in lieu thereof: "nearest available magistrate"; Amend Sec. 4 (Sec. 1201) page 11, line 1, by striking out "the court" and inserting in lieu thereof: "such magistrate";

Amend Sec. 4 (Sec. 1201) page 11, line 2, by striking out "at the special traffic court"; Amend Sec. 4 (Sec. 1201) page 11, line 4, by striking out "to the special traffic court".

They were agreed to.

The section was agreed to as amended.

The fifth and sixth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. PROPERT. Mr. President, I ask unanimous consent that House Bill No. 620, Printer's No. 1027, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 672, entitled:

An Act authorizing cities boroughs incorporated towns townships and counties to create historic areas within their geographical limits providing for the appointment of historical boards empowered to preserve historic buildings and to regulate the erection reconstruction alteration restoration demolition or razing of buildings within the historic areas

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. STIEFEL. Mr. President, I understand that this bill is going to go over in order. When the bill was prepared I omitted, inadvertently, a passage in that bill which is of great importance.

This bill deals with one of the most important subjects, the subject of historical zoning. It deals with the subject of Pennsylvania's priceless, historical buildings which, here and there, are being razed without any compunction. Under this bill, historical zoning boards have been set up in different areas of the Commonwealth to attempt to preserve our great priceless heritage. However, I forgot to put into the bill a provision which gives redress to the owner of the building. This amendment provides the right of appeal to the Court of Common Pleas and to receive compensation for any damages that the owner of the building may suffer.

I, therefore, offer the following amendment:

Amend Sec. 3, page 4, line 2, by inserting after "applicant": "Any person aggrieved by any action of the board may appeal therefrom to the court of common pleas, which court may make its decree contingent on the payment of reasonable compensation for the interference with property rights by the board."

It was agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth and seventh sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. STIEFEL. Mr. President, I ask unanimous consent that Senate Bill No. 672, Printer's No. 269, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 673, Printer's No. 270, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 715, on second reading, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to appoint a county historian in each county of the Commonwealth and prescribing the method of appointment providing in certain cases for compensation expenses and office space for county historians and outlining their duties

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, the Greeks had a very interesting word for it. It sounds like "enthanasia" and it is spelled e-u-t-h-a-n-a-s-i-a, which in English would mean beautiful death. This motion to recommit the bill to the Committee on Forests and Waters, Game and Fish means that this bill will meet with a beautiful death.

This bill deals with appointments of county historians for each one of the counties in Pennsylvania. It is modeled after a fine law which is now enforced in the State of New York, and which is very successful. Some of the historical societies feared if county historians would be appointed, there would rivalry, friction and endless trouble. May I call to the attention of the Membership of the Senate the fact that in many counties of Pennsylvania there are no historical societies whatsoever. We have here in the Senate the great Senator from Armstrong County, Senator Pechan, and his county has no historical society. Butler County has no historical society; the counties of Carbon, Clarion, Clearfield, Elk, Forest, Fulton, Jefferson, Lawrence, Luzerne, Montour, Pike, Somerset, Sullivan County, Union County, Venango and Wyoming have no historical societies. These counties have no one to represent the interests of Pennsylvania's history.

Therefore, Mr. President, I feel that the dooming of this bill to a certain death is, to a certain degree—well, what should I say—against the interest of Pennsylvania's history.

Mr. SEYLER. Mr. President, I do not know what mo-

tives lie behind the motion to recommit this bill. I have not heard any discussion on it. However, I would like to second the argument of the sponsor of this bill. It seems to me that this is an approach which might lead to a considerable development of the local and State history of the Commonwealth of Pennsylvania. It will go a long way in improving the interest of these communities in their local history and, speaking as one who is somewhat interested in the education of the young, it seems to me that it might do an invaluable service, as far as local resources are concerned, for the public schools and any others who are interested in education.

I do not know what the reasons are for recommitting this bill. I hope they are not designed to kill the bill. I certainly would advocate that we should not recommit this bill unless there is some better reason offered than has been up to the present time.

Mr. STIEFEL. Furthermore, Mr. President, the fact that this bill will not pass will deprive me of the pleasure of submitting the name of Senator Pechan as the county historian for Armstrong County.

Mr. MAHANY. Mr. President, I understand that my discussion relative to the merits of the bill is out of order on a motion to recommit. However, I do want to state to the gentlemen that there was some uncertainty among the Republican Members as to whether it was good legislation to provide some more jobs in the counties of the Commonwealth of Pennsylvania which, of course, would have to be paid for with taxpayers' money. Therefore, the committee wanted to have a further opportunity to study this phase of the legislation to see whether or not it might be corrected in some manner. For this reason, it was decided that the bill should be recommitted to committee so that they might have an opportunity to study it further.

Senator Stiefel, I believe when he introduced this bill, recommended that the bill be put in the tender care of his good friend, Senator Blass, and I am sure that if it is now returned to Senator Blass and his committee, he will see to it that Senator Stiefel has a fair opportunity of being heard on the merits of this legislation.

And the question recurring,

Will the Senate agree to the motion?

MOTION THAT BILL BE POSTPONED

Mr. STIEFEL. Mr. President, may I appeal for a reprieve of this bill? Instead of sending it to committee, place it on the Postponed Calendar and that will give us enough time to make a study of it.

Accordingly, Mr. President, I move that Senate Bill No. 715, on second reading, be placed on the Second Reading Postponed Calendar.

The PRESIDENT. A motion to recommit takes precedence over a motion to postpone and, therefore, the motion of the gentleman from Philadelphia is out of order.

And the question recurring,

Will the Senate agree to the motion?

Mr. SEYLER. Mr. President, I have no desire to debate the merits of this bill. I understand that is out of order. However, a reason has been offered by the gentleman who made the motion to recommit. He said that it was for the purpose of studying the bill. He also said it sets up more jobs to be paid for out of the taxpayers' funds. This is just not correct. If that is the reason, it is a very poor reason, because the bill specifically states that they shall serve without compensation unless the local county commisisoners should decide that they wish to pay expenses or salaries to such persons. It is entirely left up to their option.

Actually, the bill does not cost the taxpayers one nickel unless counties should become enough interested that they would want to do it more extensively. I am not arguing the merits of the bill, but if that is the reason for recommitting it, they do not need to wait any longer. If they just take two minutes to read the bill, it will be settled, and we will not need to go into that matter.

Mr. President, I wish to be recorded as voting "no" on this motion.

And the question recurring,

Will the Senate agree to the motion?

Mr. STIEFEL. I ask for a roll call, Mr. President.

Mr. LANE. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. STIEFEL and Mr. LANE, and were as follows, viz:

YEAS—20

Berger,	Harney,	Mallery,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Diehm,	Kopriver, Jr.	Peelor,	Wagner,
Flack,	Madigan,	Propert,	Whalley,
Fleming,	Mahany,	Stevenson,	Wolfe,

NAYS—16

Barr,	Derk,	McGinnis,	Seyler,
Camiel,	Haluska,	Mullin,	Silvert,
Chapman,	Hays,	Ruth,	Stiefel,
Dent,	Lane,	Schmidt,	Weiner,

So the question was determined in the affirmative.

BILLS OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 716, Printer's No. 272;

Senate Bill No. 730, Printer's No. 273; and

Senate Bill No. 731, Printer's No. 274.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 746, Printer's No. 275, on second reading, go over in its order.

The PRESIDENT. I sthere objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 757, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes

and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" defining the effect of requirement that real property transfer taxes be paid by the transferor on pre-existing ordiances and resolutions and validating such ordinances and resolutions

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 758, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" authorizing taxing authorities to impose real property transfer taxes on either the transferor or on the transferee

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto, abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for annual salaries for county commissioners in counties of the second class for services as officers of the institution district.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendment:

Amend Section 1, page 2, line 5, by inserting after the word "Commissioner" "and Controller."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. BARR offered the following amendment:

Amend Title, page 2, line 11 of the Title, by inserting after "commissioner": "and Controller."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that House Bill No. 954, Printer's No. 765, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1050, entitled:

An Act fixing the salary of the clerk of the court of oyer and terminer quarter sessions of the peace and of the municipal court and the first and second deputies in Philadelphia and repealing certain legislation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. PECHAN. Mr. President, I move that House Bill No. 1098, on second reading, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating the use of certain devices used for catching fish.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Mr. PECHAN. Mr. President, I move that House Bill No. 1135, on second reading, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing hunting in open season by certain persons of deer or bear in dog training areas.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1173, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "Third Class City Law," permitting contributors to the police pension fund to withdraw their increment contributions under certain circumstances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1503, entitled:

An Act amending the act of May 28, 1913 (P. L. 367), entitled "An act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities, and providing the maximum thereof," removing the limitation on the maximum salary which may be paid to directors or heads of departments in cities of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1724, entitled:

An Act amending the act of May 25 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" changing the method of computing pensions and providing a method of paying service increments from the pension fund to employes of the bureau of fire after retirement

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE CONCURRENT RESOLUTION, SERIAL No 151, REPORTED FROM COMMITTEE

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on Forests and Waters, Game and Fish, to which was referred resolution offered by Mr. Wolfe, on September 27, 1955, reported the same without amendment as follows:

REQUESTING HALF-WAY STATE FOREST PARK BE RENAMED RAYMOND B. WINTER STATE FOREST PARK

In the Senate, September 27, 1955.

The name of Pennsylvania was given to the colony of William Penn and inherited by the Commonwealth because of the verdant forests that once covered its territorry. But indifference or lack of foresight to the future weal in years past rapidly denuded Pennsylvania's hillsides of its trees; and carelessness and indifference to the value of second growths permitted repeated fires to ravage the cut-over area and to scorch the earth into a state of ugliness and unproductivity, robbing the land of its protecting forest growth.

A bleak and uninviting example of this catastrophe was what is now the Bald Eagle State Forest in Union County when Raymond B. Winter was sent there as a forester in 1910. The area was a charred wilderness of dead brush, stumps and a mud hole formerly a saw mill dam.

During his forty-five years of service there, Mr. Winter transferred the area into one of Pennsylvania's outstanding beauty spots. With far-sighted planning and tireless efforts he undertook the task of rehabilitation. His early days in the area were devoted to fire control and prevention, tree planting, road and trail building and gradually a little recerational work for the local people, which later, with the help of the Civilian Conservation Corps during the early thirties and later improvements developed into a State Forest park of four hundred acres with a concrete and stone masonry dam on the site of the former saw mill dam, presently known as the Half-Way State Forest Park. And today the Bald Eagle Forest is an established and thrifty forest.

That Bald Eagle is one of the finest and best preserved forest districts in the State today is due mainly to the diligent and conscientious work of Mr. Winter; therefore be it

Resolved (The House of Representatives concurring), That the recreational area in the Bald Eagle State Forest in Union County now known as Half-Way State Forest Park be renamed Raymond B. Winter State Forest Park in lasting tribute to his untiring work in conservation.

Laid over for one day under the Rules.

BILL ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 657, entitled:

An Act amending the act of August 22, 1953 (Appropriation Acts 101), entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school," increasing the per capita annual maintenance rate of wards of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Thursday, October 6, 1955, at 1:30 o'clock, p. m., Eastern Standard Time.

Mr. PEELOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5.34 o'clock, p. m., Eastern Standard Time, until Thursday, October 6, 1955, at 1:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, OCTOBER 5, 1955

The House met at 10:00 a. m. EST.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend Harold J. Crouse, Pastor of Trinity Lutheran Church, York, offered the following prayer:

O God, our Heavenly Father, Who hast been our dwelling place in all generations, and Who art from everlasting to everlasting the same in wisdom, power and goodness: We bless Thee as the Author of our being and the Giver of every good and perfect gift.

Thy gracious providence hath brought us to this day; Thy mercy has spared us and blessed us from day to day and shielded us in the midst of so many dangers. Thy grace has been renewed unto us every morning and Thy faithfulness every night. For this we thank and praise Thee.

Visit these Representatives and all the workers of this government with the tokens of Thy love. Grant that it may be a day where truth and righteousness shall prevail and where the oppressed and afflicted shall receive from all those in authority consideration and helpfulness.

And now unto Thee, Who art able to do exceeding abundantly above all that we can ask or think, be glory and dominion by Christ Jesus, throughout all ages. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, September 28, 1955 will be postponed until printed. The Chair hears none.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 722

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of registration plates to newspaper, newsreel or television photographers

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 723

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," authorizing joint school committees to manage certain joint schools or departments.

Referred to the Committee on Education.

COMPLIANCE WITH PENNSYLVANIA LOYALTY ACT

The SPEAKER announced the acknowledgement of copies of report to the Governor of the Commonwealth filed in compliance with Section 13 of the Pennsylvania Loyalty Act of December 22, 1951 (P. L. 1726), on behalf of the following institutions:

Loyalty Oath Acknowledgments

W. M. Ashman, Superintendent
Conemaugh Valley Memorial Hospital
Johnstown, Pennsylvania

Mother Mary Edith, Administrator
Mercy Hospital
Altoona, Pa.

Walter E. Landgraf, Superintendent
Allegheny General Hospital
320 East North Ave.
Pittsburgh 12, Pa.

M. F. George, Executive Director
Abington Memorial Hospital
Abington, Pennsylvania

LEAVES OF ABSENCE

The SPEAKER. If there are no objections, the order of business, leaves of absence, will be dispensed with. The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 68, entitled:

An Act amending the act of April twelve one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" authorizing the transfer of certain retail licenses to clubs without affecting the numbe of licenses thereafer granted in any municipality.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 69, entitled:

An Act amending the act of June twenty-four, one thousand nine houndred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," regulating the display of meat packaged with transparent material

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 145, entitled:

An Act prohibiting the sale, transfer, purchase, ownership, possession and use of tear and noxious gas and tear gas guns; providing for certain exemptions; and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration House Bill No. 381, entitled:

An Act prescribing certain rights of employment and reemployment for members of the General Assembly.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 920, entitled:

An Act amending the act of June 27, 1923 (P. L. 858) entitled "An act establishing a State employes' restirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting certain contributors to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 986, entitled:

An Act relating to chattel mortgages executed and filed prior to July 1, 1954, regulating the assignment, release, satisfaction and extension of the lien of mortgages, and the filing, indexing and docketing thereof in prothonotaries' offices; prescribing methods of foreclosure; defining defaults and violations; prescribing prothonotaries' fees; and fixing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1002, entitled:

An Act relating to conditional sales made prior to July 1, 1954

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1311, entitled:

An Act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes confering powers and imposing duties on local officers and the Department of Highways and making an appropriation out of the Motor License Fund.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1452, entitled:

An Act relating to comic books, magazines and other publications; prohibiting and regulating the sale thereof in certain instances; and imposing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1507, entitled:

An Act amending revising clarifying and changing the act of April 6, 1953 (P. L. 3) entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them including sales commercial paper bank deposits and collections documentary letters of credit bulk transfers warehouse receipts bills of lading other documents of title investment securities and secured transactions including certain sales of accounts chattel paper and contract rights providing for public notice to third parties in certain circumstances regulating procedure evidence and damages in certain court actions involving such transactions contracts or documents and to make uniform the law with respect thereto"

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1693, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further regulating membership of the State Veterans' Commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1718, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making further provisions relating to a quorum and the duties of deputies of the State Athletic Commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1750, entitled:

An Act amending the act of August 9, 1955 (P. L. , Act No. 130), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," providing for appeals to courts of common pleas from the decisions of salary board.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1768, entitled:

An Act regulating settlement of labor disputes between public utility employers and their employes and providing the procedure therefor repealing certain acts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1769, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of cetain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the cleks tehreof owners of vehicles and garage keeprs providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" requiring informations charging violations of summary provisions of the act in cities of the first class to be brought before centrally located traffic courts designated by the chief magistrate and authorizing cities of the first class to fix penalties and fines by ordinances.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1784, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by permitting aliens to obtain licenses to fish.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideation of House Bill No. 1792, entitled:

An Act relating to comic books magazines and other publications prohibiting and regulating the sale thereof in certain instances and imposing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 190, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system in-

cluding certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further regulating the employment of teachers who are related to members of the board of school directors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 218, entitled:

An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by providing for the method of valuation of taxable shares of stock in any regulated investment company.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

REPORTS FROM COMMITTEES

Mr. READINGER from the Committee on Rules, reported as committed, House Bill No. 1823, entitled:

An Act to further amend subsection (i) of section four of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body coporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payments of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority to sell and convey projects and property to the agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor in certain cases.

Mr. READINGER from the Committee on Rules, reported as committed, House Bill No. 1824, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," increasing the registration fees for motor vehicles and certain commercial motor vehicles and trucks tractors.

Mr. READINGER from the Committee on Rules, reported as committed, House Bill No. 1825, entitled:

An Act to further amend subsection (i) of section four of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge authoity as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal Agency; and authorizing the Department of Highways to grant, assign, covey or lease to the Authority lands, easements, or rights of way of the Comonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor in certain cases.

Mr. READINGER from the Committee on Rules, reported as committed, Senate Resolution Serial No. 139.

BILLS ON FIRST READING

Mr. READINGER asked and obtained unanimous consent for House Bill No. 1823 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1823, entitled:

An Act to further amend subsection (i) of section four of the act, approved the eighteenth day of April, one thousand nine hundred foty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to

grant, assign, convey or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. READINGER asked and obtained unanimous consent for House Bill No. 1824 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1824, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorported towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," increasing the registration fees for motor vehicles and certain commercial motor vehicles and truck tractors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. READINGER asked and obtained unanmious consent for House Bill No. 1825 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1825, entitled:

An Act to further amend subsection (i) of section four of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, recontruct, improve, maintain, equip, furnish, and operate highway and bridge pojects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal Agency; and authorizing the Department of Highways to grant, assign, convey or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, I find that daylight time is being extended without authority from the people just as it was started without authority from the people, and therefore I am asking by my bill introduced in this House that the people be given the right to vote at this November election as to whether or not they want such change in time. Some persons can't learn that they just can't change the sun. A higher power controls that. Now let us be fair to the mothers, school children, and farmers; and let the people vote on this question. My bill gives the people this right.

Now, Mr. Speaker, I desire to make a few remarks about an entirely different subject, and in that connection I will read the following:

> In the House of Representatives, October 5, 1955.
>
> The President of the United States has made outstanding progress in his effort to return to good health after his recent illness.
>
> At a great cost to the Nation and personal sacrifices, his official family and advisors in the performance of their duties must go back and forth between Washington and Denver, Colorado, where President Eisenhower is now hospitalized.
>
> Sometime ago he saw fit to make his permanent home near Gettysburg in Adams County, Pennsylvania. Because of its relative proximity to Washington, it would be ideal for a temporary location for the "White House"; therefore be it
>
> Resolved, That the members of the House of Representatives of the Commonwealth of Pennsylvania urge the President of the United States, Dwight D. Eisenhower, to establish, during his convalescence, the White House at his home in Adams County as soon as he is permitted to do so by his physicians; and be it further
>
> Resolved, That a copy of this resolution be transmitted to Sherman Adams, the Assistant to the President, by the clerk of the House of Representatives.

Now, Mr. Speaker, if the White House was moved to Adams County temporarily, the whole Commonwealth would benefit thereby and particularly Adams County would benefit, both culturally and financially; and therefor I ask the Democratic Floor Leader not to object to this resolution's immediate consideration if his party wants to bring business into our state and if he wants to bring a Great President to a healthful, comfortable and convenient farm spot on the lands of this Commonwealth.

Mr. Speaker, I now offer this resolution and move its immediate consideration and adoption.

The SPEAKER. The resolution will be filed with the Clerk under the Rules.

BILLS ON FINAL PASSAGE

The SPEAKER. Without objection, the bills on the final passage calendar will be passed over. The Chair hears none.

APPROPRIATION BILLS ON THIRD READING

The SPEAKER. Without objection, the appropriation bills on the third reading calendar will be passed over. The Chair hears none.

BILLS ON THIRD READING

The SPEAKER. Without objection, the bills on the third reading calendar will be passed over. The chair hears none.

ADJOURNMENT

Mr. FROST. Mr. Speaker, I move that this House do now adjourn until Thursday, October 6, 1955 at 10:00 a. m. EST.

The motion was agreed to, and (at 10:33 a.m. EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., THURSDAY, OCTOBER 6, 1955. No. 96.

SENATE

THURSDAY, October 6, 1955.

The Senate met at 1:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

In the absence of the Chaplain, the following prayer was offered by the gentleman from Berks, Mr. RUTH:

Our Dear Father in heaven, again we come to Thee and we know that Thou art in our midst. We pray that Thou wilt always give us a sense of Thy presence, that we may realize that if we take the wings of the morning and fly to the uttermost parts of the sea, even there Thy hand will lead us and guide us.

May we always feel Thee near when our problems are great and our enjoyments are great, knowing that Thou hast never forsaken Thine own and Thou wilt not forsake us. In these hours we need Thy presence. Help us to feel it near. We ask it in Thy Holy name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WHALLEY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHALLEY offered the following resolution which was twice read, considered and agreed to:

In the Senate, October 6, 1955.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, October 10, 1955, at two-thirty o'clock, p. m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene on Thursday, October 13, 1955, at twelve o'clock Noon, E.S.T.; and that when the Senate adjourns the week of October 10, 1955, it reconvene on Monday, October 24, 1955, at 2:30 o'clock. p.m. E.S.T., unless sooner recalled by the President Pro Tempore; and when the House of Representatives adjourns the week of October 10, 1955, it reconvene on Monday, October 24, 1955 at a time to be fixed by the House of Representatives unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Cambria, Mr. Haluska, will state his question of personal privilege.

Mr. HALUSKA. Mr. President, last night many of us, because of lack of rooms in the city of Harrisburg, were compelled to find new sleeping quarters. I, along with my colleague from Washington, Senator Lane, was among the many who went to the Hershey Hotel. Throughout my life, I have been told by elderly people that a person's attire, their disposition, their general attitude will designate just what they are and who they are. Last night, I found this to be true.

About midnight, Senator Lane and I were sitting out on the porch of the Hershey Hotel, watching the rain and talking to a number of our colleagues. A few minutes later, a colleague of ours from Lancaster County, Senator Diehm, strolled out and took part in our little debate. There happened to be a convention of some sort being held at the Hershey Hotel and some strangers appeared. One of the delegates to the convention sat down and took part in our discussion. True, he was somewhat inebriated, but not too much. After listening to our discussion, he stood up and pointed to the gentleman from Lancaster County, Senator Diehm, and said, " I do not know you, but I know what you are. By looking at you, I can read that you are a bona fide Democrat."

The gentleman from Lancaster County was somewhat flabbergasted, and he had to make a quick reply. He said, "No, my friend, you are wrong. My father was a Democrat."

Therefore, Mr. President, you can see that even though company has changed him, down the line some place the expression on his face proves the saying that in looking at a man you can know what he is or what he should be.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

RECALLING SENATE BILL No. 603 FROM THE GOVERNOR

In the Senate, October 5, 1955.

Resolved (if the House of Representatives concur), that Senate Bill No. 603, Printer's No. 220, entitled "An act amending the act of June 24, 1937 (P. L. 2017) entitled 'An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws' authorizing the sale of surplus farm products and other personal property," be recalled from the Governor for the purpose of amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 121 LAID ON TABLE

He also presented extract from the Journal of the House of Representatives, which was twice read as follows:

In the House of Representatives, October 6, 1955.

Resolved (if the Senate concur), that House Bill No. 121, Printer's No. 856, entitled: "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949,' authorizing the use of leased athletic facilities when schools are not open in certain cases," be recalled from the Governor for the purpose of amendment.

The PRESIDENT. The resolution will lie upon the table.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 162, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well as to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing rental charge allowed for use of receiving district's school plant in calculating tuition charge per high school pupil to be paid by sending district

Senate Bill No. 268, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the training of business in this Commonwealth by foreign builling and loan associations conferring powers and imposing duties upon the court recorders of deeds and certain State departments commission and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further defining and limiting the rights powers duties liabilities and immunities of such associations and making further provisions governing the transfer of shares the payment of trustees' accounts authorized investments security for mortgage loans and loans secured by chattel paper

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Highways, reported as committed Senate Bill No. 33, entitled:

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge now under construction and the Saw Mill Run Interchange of the Parkway-West; providing for the necessary approaches and connections with State highways; empowering counties to pay certain damages; and making an appropriation.

He also, from the Committee on Highways, reported as committed Senate Bill No. 382, entitled:

An Act amending the act of May 7, 1937 (P. L. 589), entitled, as amended, "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement. construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement wthout a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," changing or deleting certain routes and adding certain new routes.

He also, from the Committee on Highways, reported as committed Senate Bill No. 773, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the

highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous recepits; making an appropriation and providnig for refunds," prohibiting the operation of motor vehicles the mufflers of which have internal parts removed.

He also, from the Committee on Highways, reported as committed House Bill No. 1630, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating registration of antique motor vehicles.

He also from the Committee on State Government reported as committed Senate Bill No. 284, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating the State Board of Chiropody Examiners as a departmental administrative board in the Department of Public Instruction.

He also from the Committee on State Government reported as committed Senate Bill No. 285, entitled:

An Act relating to the practice of chiropody; conferring powers and imposing duties on the State Board of Chiropody Examiners and the Department of Public Instruction; and providing penalties.

He also from the Committee on State Government reported as committed House Bill No. 1072, entitled:

An Act approving, ratifying and enacting into law the Great Lakes Basin Compact; making the Commonwealth of Pennsylvania a party thereto; creating "The Great Lakes Commission;" providing for the members thereof from the Commonwealth of Pennsylvania; providing for the carrying out of the purpose of the compact and making an appropriation.

He also from the Committee on State Government reported as amended House Bill No. 1104, entitled:

An Act amending the act of April 21 1949 (P. L. 665) entitled "An act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of election courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties" providing for the revision of home rule charters providing for the establishment of a charter revision commission for the purpose of making revisions and imposing duties upon city councils city officers boards of election courts and the Secretary of the Commonwealth

Mr. SEYLER, from the Committee on State Government reported as committed House Bill No. 436, entitled:

An Act declaring and adopting the song "Pennsylvania" by a Pennslvanian Gertrude Martin Rohrer as the State song of the Commonwealth.

He also from the Committee on State Government reported as committed Senate Bill No. 539, entitled:

An Act relinquishing Commonwealth rights in property in control of the Trustees of the University of Pennsylvania.

He also from the Committee on State Government reported as committed Senate Bill No. 540, entitled:

An Act relinquishing Commonwealth rights in property in control of the Trustees of Temple University.

He also from the Committee on State Government reported as committed Senate Bill No. 541, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating the General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey or lease to the Authority lands of the Commonwealth and interest therein, and to acquire lands therefor; granting the right of eminent domain; empowering the General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," authorizing the sale, transfer and conveyance of property or interest therein.

He also from the Committee on State Government reported as committed Senae Bill No. 574, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire, by gift, the Old Brown's Mill building and project in Antrim Township, Franklin County; and providing for its maintenance and control.

He also from the Committee on State Government reported as committed Senate Bill No. 587, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire five tracts o fland in the Borough of West Chester, Chester County, for use of West Chester State Teacher's College, and making an appropriation.

He also from the Committee on State Government reported as committed House Bill No. 680, entitled

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 84.69 acres more or less of land situate in Butler Township Adams County.

He also from the Committee on State Government reported as committed House Bill No. 1105, entitled:

An Act providing for acceptance as a donation of a building known as Patients Store and Library at the Norristown State Hospital this structure to be owned and maintained by the Commonwealth as a part of the Noristown State Hospital

He also from the Committee on State Government reported as committed House Bill No. 1350, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in the borough

He also from the Committee on State Government reported as committed House Bill No. 1363, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey fifteen acres of land in East Norriton Township, Montgomery County.

He also, from the Committee on State Government reported as committed House Bill No. 1501, entitled:

An Act authorizing the Department of Property and Suplies with the approval of the Governor to sell and convey real property situate in the borough of West Chester Chester County.

He also from the Committee on State Government reported as committed House Bill No. 1511, entitled:

An Act relating to reciprocal agreements for the interstate transportation and support of the mentally ill.

He also from the Committee on State Government reported as committed House Bill No. 1512, entitled:

An Act authorizing cooperative return of parole and probation and the making of contracts or deputization of persons pursuant thereto.

He also from the Committee on State Government reported as committed House Bill No. 1534, entitled

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to accept a tract of land and buildings thereon erected in the Borough of California, Washington County, Pennsylvania, containing 25.609 acres for the use of the California State Teachers' College.

He also from the Committee on State Government reported as committed House Bill No. 1537, entitled:

An Act authorizing Department of Property and Supplies with the approval of the Governor to sell and convey 50.6 acres more or less of land situate in Cecil Township Washington County.

He also from the Committee on State Government reported as committed House Bill No. 1538, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 90 acres more or less of land situate in North Strabane Township Washington County.

He also from the Committee on State Government reported as committed House Bill No. 1539, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 40 acres more or less of land situate in Cecil Township Washington County.

He also from the Committee on State Government reported as committed House Bill No. 1540, entitled:

An Act Authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 64 acres more or less of land situate in Cecil Township Washington County

He also from the Committee on State Government reported as committed House Bill No. 1541, entitled:

An Act Authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 117 acres more or less of land situate in Cecil Township Washington County

SENATE CONCURRENT RESOLUTION, SERIAL No. 143 REPORTED FROM COMMITTEE

Mr. SEYLER, from the Committe on State Government, to which was referred resolution offered by Mr. Kessler, on August 30, 1955, reported the same without amendment as follows:

JOINT STATE GOVERNMENT COMMISSION TO STUDY AND INVESTIGATE THE PENNSYLVANIA MORTGAGE SYSTEM

In the Senate, August 30, 1955.

Due to economic changes, the raising of the standards of living and the facility of financing the purchase of property for business and dwelling purposes, each year untold thousands of deds and mortgages are left for recording with the recorder of deeds of the several counties of this Commonwealth.

As a result of the recording of this vast number of deeds and mortgages, the various offices of the recorder of deeds are being filled to capacity.

Our Legislature saw fit years ago to enact legislation providing for a "short form" deed which was designed to conserve space in the office of the recorder of deeds.

Many states have appropriate legislation, which provide a title abstract system and the incorporation of descriptions in conveyances which result in shorter deeds and mortgages.

Attorneys at law, financing institutions, public officials and the general public would be greatly benefited by legislation that would simplify the conveyancing and mortgaging of property; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to study and investigate:

1. The various types of "short form mortgages" and the integration thereof into the Pennsylvania system of mortgaging property;

2. The establishment of abstract of title systems with respect to the ownership and conveyancing of property together with methods whereby descriptions of property may be incorporated into deeds and mortgages by reference to prior deeds; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Laid over for one day under the Rules.

REPORTS FROM COMMITTEES

Mr. KOPRIVER, JR., from the Committee on Local Government reported as committed Senate Bill No. 535,

An Act prohibiting the imposition of wage, income, or occupation taxes by cities of the second class, on nonresidents of the city, and abolishing such taxes heretofore imposed.

He also reported as committed Senate Bill No. 633, entitled:

An Act repealing the last paragraph of section 5, act of May 23, 1874 (P. L. 230), entitled "An act dividing the cities of this state into three classes, regulating the passage of ordinances, providing for contracts for supplies and work for said cities, authorizing the increase of indebtedness, and the creation of a sinking fund to redeem the same, defining and punishing certain offences ni all of said cities, and providing for the incorporation and government of cities of the third class," which requires publication each year of a statement of all delinquent taxpayers in cities of the first class.
entitled:

He also, from the Committee on Local Government, reported as committed House Bill No. 656, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" increasing the maximum compensation payable to councilmen in boroughs whose population is more than five thousand.

He also, from the Committee on Local Government, reported as amended Senate Bill No. 661, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant trithe appointment of a chief assessor assistant assessors and ennial assessor in townships of the first class providing for other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" increasing the compensation of assessors.

He also, from the Committee on Local Government, reported as committed House Bill No. 682, entitled:

An Act amending the act of June 25, 1947 (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" changing salaries of district attorneys in counties of the sixth class.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 776, entitled:

An Act amending the act of May 16, 1921 (P. L. 579), entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third, fourth and fifth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline, and employment of prisoners and the government and management of said jails or county prisons," giving wardens, deputies and other appointees of the board powers of peace officers.

He also, from the Committee on Local Government, reported as amended Senate Bill No. 780, entitled:

An Act amending the act of July 2, 1937 (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of licensee fees for permission to conduct the same" making the provisions of the act effective in municipalities and townships further regulating statements of inventories further regulating the issuance renewal denial and refusal of licenses and the conduct of sales designating certain actions as violations of the act authorizing appeals from refusal or denial to issue licenses.

He also, from the Committee on Local Government, reported as amended House Bill No. 834, entitled:

An Act amending the act of May 9, 1949 (P. L. 927), entitled "An act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, for their official acts and the services of their deputies, watchmen, appraisers, and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the county, including the compensation of special deputies, providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general special or local," changing fees, commissions, mileage and other costs chargeable by sheriffs.

He also, from the Committee on Local Government, reported as committed House Bill No. 1676, entitled:

An Act authorizing townships of the first class in certain cases to convey to a volunteer fire company or association the township's interests in real property upon approval of the court of common pleas of the county.

Mr. WHALLEY, from the Committee on Mines and Mining, reported as committed House Bill No. 590, entitled:

An Act amending the act of July 29, 1953 (Appropriation Acts 19, No. 24-A) entitled "An act making an appropriation to the Department of Mines for the sealing and dewatering of and extinguishment of fires in abandoned coal mines," authorizing the use of the funds for flushing mine voids in certain cases.

He also, from the Committee on Mines and Mining, reported as committed House Bill No. 1143, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating, as a departmental administrative advisory board, the Coal Research Board in the Department of Mines, prescribing its organization, powers and duties, and making an appropriation.

He also, from the Committee on Mines and Mining, reported as amended House Bill No. 1332, entitled:

An Act to further amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," by regulating the salary of mine inspectors.

He also, from the Committee on Mines and Mining, reported as committed House Bill No. 1333, entitled:

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1132), entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor; fixing their salaries and qualifications; providing for the purchase of trucks and necessary equipment to carry on the work; and making an appropriation therefor," by further regulating the salary of the first aid and mine rescue instructors.

He also, from the Committee on Mines and Mining, reported as committed House Bill No. 1338, entitled:

An Act to further amend the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor; the fixing of their salaries and necessary expenses incurred in the performance of their duties; and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector," by regulating the salary of electrical inspectors.

He also, from the Committee on Mines and Mining, reported as committed House Bill No. 1425, entitled:

An Act amending the act of July 15, 1897 (P. L. 287), entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth, and to provide for the examination of persons seeking employment as miners in the anthracite region, and to prevent the employment of incompetent persons as miners in anthracite coal mines, and providing penalties for a violation of the same," establishing Miners Examining Boards in certain counties, decreasing the number of miners on each board and changing the method of their appointment; increasing the compensation of board members; changing certain powers of the boards and members thereof; and increasing examination fees.

He also from the Committee on Mines and Mining, reported as committed House Bill No. 1426, entitled:

An Act amending the act of June 2 1891, (P. L. 176) entitled " An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" increasing the compensation of members of the examining boards

He also from the Committee on Mines and Mining, reported as committed House Bill No. 1548, entitled:

An Act amending the act of May 31 1923 (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom the applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" increasing compensation of board members and the committee of six

He also from the Committee on Mines and Mining, reported as committed House Bill No. 1549, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the per diem compensation and mileage rate of the members and secretary of the Anthracite Mine Inspector's Examining Board

He also from the Committee on Mines and Mining, reported as committed House Bill No. 1550, entitled:

An Act amending the act of April 29 1937 (P. L. 551) entitled "An act prohibiting the employment of miners

as herein defined in the bituminous coal mines unless certified by a miners' examining board providing for the appointment of such boards and defining their powers and duties providing penalties and making an appropriation" increasing per diem compensation of members of miners' examining boards

He also from the Committee on Mines and Mining, reported as committed House Bill No. 1551, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the per diem compensation and mileage rate of members and secretary of the Bituminous Mine Inspectors' Examining board

He also from the Committee on Mines and Mining, reported as amended House Bill No. 1572, entitled:

An Act relating to coal mining, well operations and the underground storage of gas and the safety of personnel and facilities employed therein; prescribing the rights and duties of well operators, before, during, and after the drilling of wells for the production, extraction or storage of any gas, petroleum or other liquid; regulating the underground storage of gas under workable coal seams; prescribing the rights and duties of owners and operators of coal mines in relation to wells and underground storage areas; granting certain corporations a limited right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas; creating the Oil and Gas Division of the Department of Mines and defining its personnel powers and duties; providing for hearings and the procedures to be followed therein and imposing duties upon the courts and providing methods for the enforcement of the provisions of this act and imposing penalties.

SENATE RESOLUTION, SERIAL No. 50, REPORTED FROM COMMITTEE

Mr. WHALLEY, from the Committee on Mines and Mining, to which was referred resolution offered by Mr. Flack, on June 29, 1955, reported the same without amendment as follows:

REQUESTING THE DEPARTMENT OF MINES TO INVESTIGATE THE CAUSE OF MINE SUBSIDENCE IN THE BOROUGH OF FORTY FORT

In the Senate, June 29, 1955.

It has come to our attention that a mine subsidence of unknown cause and origin has occurred in a large part of the residential area of the Borough of Forty Fort, Luzerne County; therefore be it

Resolved, That the Department of Mines be requested to make a thorough investigation of the cause, extent of damage and responsibility for the mine subsidence that has occurred in the Borough of Forty Fort, Luzerne County, and what steps can be taken to prevent further damage therefrom; and to report its findings and recommendations to the Senate at its present legislative session.

Laid over for one day under the Rules.

HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 121 FROM THE GOVERNOR TAKEN FROM TABLE.

Mr. MAHANY. Mr. President, at this time I call from the table House Concurrent Resolution recalling House Bill No. 121, Printer's No. 856, from the Governor.

The Clerk read the resolution as follows:

RECALLING HOUSE BILL No. 121 FROM THE GOVERNOR

In the House of Representatives, October 6, 1955.

Resolved (if the Senate concur), that House Bill No. 121, Printer's No. 856, entitled: "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949,' authorizing the use of leased athletic facilities when schools are not open in certain cases," be recalled from the Governor for the purpose of amendment.

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

Mr. MAHANY. Mr. President, I move that the Senate do concur in the resolution just read by the Clerk.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS INTRODUCED AND REFERRED

Messrs. WOLFE an PECHAN read in place and presented to the Chair Senate Bill No. 789, entitled:

An Act to amend the act approved the ninth day of August, one thousand nine hundred fifty-five (P. L.), (Act No. 130) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes, amending, revising and changing the laws relating thereto," by authorizing collection of data concerning deceased veterans of armed conflicts and authorizing the erection of monuments to veterans of armed conflicts.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 790, entitled:

An Act to amend the act approved the twenty-eighth day of July, one thousand nine hundred fifty-three (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," by authorizing collection of data concerning deceased veterans of armed conflicts and authorizing the erection of monuments to veterans of armed conflicts.

Which was committed to the Committee on Local Government.

Messrs. HARNEY, MADIGAN, DERK and DENT read in place and presented to the Chair Senate Bill No. 791, entitled:

An Act making an appropriation to the Department of Agriculture for developing and operating a livestock show.

Which was committed to the Committee on Agriculture.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 792, entitled:

An Act amending the act of January 14, 1952 (P. L. 1898), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons and registration of corporations engaging in the care, preparation and disposition of the bodies of deceased persons, and providing penalties; providing for a State Board of Funeral Directors in the Department of Health; and repealing other laws," increasing the number of board members and changing quorum provisions.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 793, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the membership of the State Board of Chiropractic Examiners and changing quorum provisions.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, Senator Dent who is co-sponsoring this bill with me, is unable to be present because of his duties in the Governor's Office. They are working on the budget, I presume. However, I talked with Senator Dent yesterday and we decided to present this bill.

This bill is a safety measure for big trucks. You have probably all read the newspapers of October 4th, about a tremendous tragedy occurring in West Newton, which is in Westmoreland County, Senator Dent's District. I am sorry he is not here to elaborate on what I am going to say. In the West Newton area, according to the newspapers, they have had four or five, maybe six, very severe accidents because of brake failures on a particular hill coming into West Newton. In this particular accident, the truck was coming down the hill and crashed into a couple of stores, into a train and derailed, I think, nine cars. It killed five people and injured two. When I read the newspapers of October 4th, I found the estimated damage to be something like $1,000,000. As I said before, there have been six such disasters on this particular hill because of brake failure in recent years.

Mr. President, the bill that I am presenting, with Senator Dent's co-sponsorship, is to act as a safety measure on the highways, not only for other trucks but for the truck, itself, and innocent people who are not in any way connected with the vehicle at that time. This bill will make it mandatory that all trucks have an auxiliary brake. This does not mean the emergency brake, as we have in our automobiles, but it will have all the feautres of the cylinders that are now on big trucks. I am hoping that the trucking industry will accept this, in the face of its safety feature, which we are trying to do in order to protect not only property but also the public.

Therefore, Mr. President, on behalf of my colleague, Senator Dent and myself, I am presenting these two bills.

BILLS INTRODUCED AND REFERRED

Messrs. PECHAN and DENT read in place and presented to the Chair Senate Bill No. 794, entitled:

An Act making an appropriation out of the Motor License Fund to the Joint State Government Commission for a study and investigation of safety on highways.

Which was committed to the Committee on Highways.

They also read in place and presented to the Chair Senate Bill No. 795, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and gargae keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," requiring certain vehicles and combinations of vehicles equipped with air brakes to be equipped with emergency brakes.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, I listened to Senator Pechan explain the features of the legislation which he and Senator Dent have sponsored here today. I feel that this is a step in the righ direction. As a matter of fact, I talked that problem over many times with Senator Dent, because in my county of Washington and my neighboring county of Fayette, we have had a number of fatalities due to the fact that these heavy trucks start down from the summit and they crash through and have killed many people over there. The same thing happens on Browsville Hill, which is a part

of Route U. S. 40. The trucks which have come down that hill have had failures of their brakes on many occasions. They have caused considerable property damage and, as a matter of fact, one time they tore out two stores and killed several people. I think last year there was a big truck loaded with steel which came down that hill and upset right in the neck in Brownsville. We have had the same experience over in Washington County, on Route U. S. 40. We have a steep hill coming down into West Brownsville, and we have the same trouble with these heavy trucks.

The features that Senator Pechan and Senator Dent outlined in this legislation are somewhat similar to the brake equipment locomotives. As a matter of fact, under the Interstate Commerce Law, I believe, a locomotive engineer, when using the emergency brake, must file a certificate setting forth the reason why that was done. That is what we call the auxiliary brake. I have always argued that these large trucks should have auxiliary brakes; that they should only be used in cases of emergency and that they should be properly sealed. When that seal is broken, they should file a written statement with the Department of Safety. The Department of Safety should have inspectors to check these auxiliary brakes in order to protect the public.

Mr. President, I am not opposed to big trucks. I feel that they have a place in our economy. However, I do say that the time has come when I wish to congratulate Senator Dent and Senator Pechan for their foresight in sponsoring this legislation. The time has come when we must protect the public at large. The highways today are not built for these large trucks, and I say that we must do something to protect all the people.

The accident which occurred in West Newton was a terrible thing. I am quite familiar with that accident, because I came by their shortly after it occurred. It is certainly terrible when a large truck would start down a hill and ram a freight train and kill innocent bystanders due to negligence. If those trucks were properly inspected —if their braking equipment were properly inspected by competent authorities—this never would have happened.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, October 6, 1955.

Monday, Octobr 10, 1955, at two-thirty o'clock, p. m., Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday October 10, 1955, at two-thirty o'clock, p. m., E. S. T.; and when the House of Representatives adjourns this week, it reconvene on Thursday, October 13, 1955, at twelve o'clock Noon, E. S. T.; and that when the Senate adjourns the week of October 10, 1955, it reconvene on Monday, October 24, 1955, at 2:30 o'clock, p. m., E. S. T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns the week of October 10, 1955, it reconvene on Monday, October 24, 1955 at a time to be fixed by the House of Representatives unless sooner recalled by the Speaker of the House of Representatives.

SENATE CONCURRENT RESOLUTION, SERIAL No. 151,, TAKEN FROM TABLE

Mr. BLASS. Mr. President, at this time, on behalf of Senator Wolfe, I call from the table Senate Concurrent Resolution, Serial No. 151.

The Clerk read the resolution as follows:

REQUESTING HALF-WAY STATE FOREST PARK BE RENAMED RAYMOND B. WINTER STATE FOREST PARK

In the Senate, September 27, 1955.

The name of Pennsylvania was given to the colony of William Penn and inherited by the Commonwealth because of verdant forests that once covered its territory. But indifference or lack of foresight to the future weal in years past rapidly denuded Pennsylvania's hillsides of its trees; and carelessness and indifference to the value of second growths permitted repeated fires to ravage the cut-over area and to scorch the earth into a state of ugliness and unproductivity, robbing the land of its protecting forest growth.

A bleak and univiting example of this catastrophe was what is now the Bald Eagle State Forest in Union County when Raymond B. Winter was sent there as a forester in 1910. The area was a charred wilderness of dead brush, stumps and a mud hole formerly a saw mill dam.

During his forty-five years of service there, Mr. Winter transformed the area into one of Pennsylvania's outstanding beauty spots. With far-sighted planning and tireless efforts he undertook the task of rehabilitation. His early days in the area were devoted to fire control and prevention, tree planting, road and trail building and gradually a little recreational work for the local people, which later, with the help of the Civilian Conservation Corps during the early thirties and later improvement developed into a State Forest park of four hundred acres with a concrete and stone masonry dam on the site of the former saw mill dam, presently known as the Half-Way State Forest Park, And today the Bald Eagle Forest is an established and thrifty forest.

That Bald Eagle is one of the finest and best preserved forest districts in the State today is due mainly to the diligent and conscientious work of Mr. Winter; therefore be it

Resolved (The House of Representatives concurring), That the recreation area in the Bald Eagle State Forest in Union County now known as Half-Way State Forest Park be renamed Raymond B. Winter State Forest Park in lasting tribute to his untiring work in conservation.

RESOLUTION ADOPTED

Mr. BLASS. Mr. President, I move that the resolution just read by the Clerk be adopted.

Mr. WOLFE. Mr. President, I second the motion.

The resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 262, Printer's No. 255, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 455, Printer's No. 261, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER TEMPORARILY

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 721, Printer's No. 251, on final passage, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 306, as follows:

An Act amending the act of May 16 1921 (P. L. 579) entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" further regulating the expenditures of moneys by the board without advertising and awarding of contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 act of May 16 1921 (P. L. 579) entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" amended July 29 1953 (P. L. 1013) is amended to read

Section 3 That all the expenditures required for the support and maintenance of prisoners the repairs and improvement of said prison shall be paid from the county treasury by warrants drawn in the mode now prescribed by law on the regular appropriation for the purpose but no warrant shall be certified by the contoller for any expense connected with the prison unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof and all contracts involving an expenditure of over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising and be given to the lowest and best bidder Funds from the county treasury shall be made in accordance with the procedures set fourth in article XVIII of the act of August 9, 1955 (P. L.) Act No. 130.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING, RECALLED FROM THE GOVERNOR

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 595, Printer's No. 279, on third reading, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 172, as follows:

An Act amending the act of June three one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" requiring the Pennsylvania Game Commission to pay unrecovered costs of suit

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1217 act of June three one thousand nine hundred thirty-seven (P. L. 1225) known as "The Game Law" amended June three one thousand nine hundred fifty-three (P. L. 269) is amended to read

Section 1217 Liability for Costs Not Paid by Defendant [Whenever any officer whose duty it is to enforce the laws of this State protecting game furbearing animals and protected birds shall in good faith bring suit for any violation of such laws and for any legal cause shall fail to recover the costs of record to which he is legally entitled such costs shall be paid by the Pennsylvania Game Commission] In case any game protector or any other officer herein named fails to prove his case and the deefndant is discharged or in case the defendant is convicted and sent to jain in lieu of the payment of fine the Pennsylvania Game Commission shall pay the costs

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question?

Shall the bill pass fiinally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 459, as follows:

An Act prohibiting operation of boats having a manufacturer's horsepower rating in excess of seven and one-half on Quaker Lake in Susquehanna County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No boat equipped with a motor having a manufacturer's horsepower rating in excess of seven and one-half shall be operated on Quaker Lake in Susquehanna County

Section 2 Any person violating the provisions of this act shall upon summary conviction be sentenced to pay a fine of not more than fifty dollars ($50) and costs of prosecution or in default of the payment thereof to undergo imprisonment for not more than twenty (20) days

Section 3 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question?

Shall the bill pass fiinally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 608, as follows:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the use of long bows and arrows for capturing or killing carp

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of section 50 act of May 2, 1925 (P. L. 448) known as "The Fish Law of one thousand nine hundred twenty-five" amended March 31, 1943 (P. L. 26) and May 7, 1943 (P. L. 246) is amended to read

Section 50 Devices to Catch Game-fish Bait-fish and Fish-bait No person shall use any device means or method whatsoever except as in this article otherwise provided for taking fish from the waters within this Commonwealth except the following that is to say for

* * *

(d) It shall be unlawful to take or atempt to take fish of any kind by the methods known as snatch-fishing foul hoking or snag-fishing or the taking or fishing for fish with hook or hooks baited or otherwise attached to rod or line or other device for the taking of or fishing for fish with any device whatsoever which may be used to capture any fish by engaging such device in to or with any part of the body of a fish Nothing in this section shall prohibit the use of long bows and arrows for taking or killing carp

* * *

And said bill having been read at length the third time, and agreed to,

On the question?

Shall the bill pass fiinally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 648, Printer's No. 225; and

Senate Bill No. 649, Printer's No. 226.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 757, as follows:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the

third class boroughs towns townships of the first class townships of the second class school district of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to a maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" defining the effect of requirement that real property transfer taxes be paid by the transferor on preexisting ordinances and resolutions and validating such ordinances and resolutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section 1 act of June 25, 1947 (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class schol districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" amended June 28, 1955 (Act No. 60) is amended to read

Section 1 A Delegation of Taxing Powers and Restrictions Thereon The duly constituted authorities of the following political subdivisions cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class may in their discretion by ordinance or resolution for general revenue purposes levy assess and collect or provide for the levying assessment and collection of such taxes as they shall determine to be paid by the transferor upon the transfer of real property or of any interest in real property situate within such political subdivisions regardless of where the instruments making the transfers are made executed or delivered or where the actual settlements on such transfers take place and on persons transactions occupations privileges subjects and personal property within the limits of such political subdivisions except except that such local authorities shall not have authority by virtue of this act (1) to levy assess and collect or provide for the levying assessment and collection of any tax on the transfer of real property when the transfer is by will or the intestate laws of this Commonwealth or on a privilege transaction subject occupation or personal property which is now or does hereafter become subject to a State tax or license fee or (2) to levy assess or collect a tax on the gross receipts from utility service of any person or company whose rates and services are fixed and regulated by the Pennsylvania Public Utility Commission or on any public utility services rendered by any such person or company or on any privilege or transaction involving the rendering of any public utility service or (3) except on sales of admission to places of amusement or on sales or other transfers of title or possession of property to levy assess or collect a tax on the prvilege of employing such tangible property as is now or does hereafter become subject to a State tax or (4) to levy assess and collect a tax on goods and articles manufactured in such political subdivisions or on the by-products of manufacture or on minerals timber natural resources and farm products produced in such political subdivisions or on the preparation or processing thereof for use or market or on any privilege act or transaction related to the business of manufacturing the production preparation or processing of minerals timber and natural resources or farm products by manufacturers by producers and by farmers with respect to the goods articles and products of their own manufacture production or growth or on any privilege act or transaction relating to the business of processing by-products of manufacture or on the transportation loading unloading or dumping or storage of such goods articles products or by-products (5) to levy assess or collect a tax on salaries wages commissions compensation and earned income of nonresidents of the political subdivision Provided That this limitation (5) shall apply only to the school districts of the second third and fourth classes (6) to levy assess or collect a tax on personal property subject to taxation by counties or on personal property owned by persons associations and corporations specifically exempted by law from taxation under the county personal property tax law Provided That this limitation (6) shall not apply to cities of the second class

Subject to the limitations prescribed in this act the duly constituted authorities of townships of the second class may in their discretion by ordinance or resolution for general revenue purposes levy assess and collect or provide for the levying assessment and collection of any one or more of the following taxes

(1) per capita tax upon individuals not to exceed $5

(2) A tax on the transfer of real property as herein provided for other political subdivisions

(3) A tax on admissions to place of amusements athletic events and the like

(4) A tax on the use or occupancy of house trailers suitable for living quarters

No township shall levy a per capita tax for the same period for which it levies an occupation tax

Every ordinance or resolution which imposes a tax under the authority of this act shall impose such tax for one year only and shall be passed or adopted if for a school district during the period other school taxes are required by law to be levied and assessed by such district Each ordinance and resolution shall state that it is enacted under the authority of the act of June twenty-fifth one thousand nine hundred forty-seven (P. L. 1145) and its amendments Any ordinance or resolution now in effect which imposed any such tax for a period of more than one year shall remain in effect and the taxes imposed by such ordinance or resolution shall be collected for the current tax year only The provision of this subsection requiring taxes upon the transfer of real property or of any interest in real property to be paid by the transferor shall not apply to any ordinance or resolution imposing such tax adopted prior to June 28 1955 All such ordinances shall continue in full force and effect until the end of the year for which the tax was imposed All such ordinances and resolutions and the collection of all taxes thereunder are validated

* * *

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming.			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 758, as follows:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal form the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" authorizing taxing authorities to impose real property transfer taxes on either the transferor or on the transferee

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section 1 act of June 25, 1947 (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class borougs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the officers and employes to assess and collect such taxes and permitting establishment of bureaus and the appointment and compensation of penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" amended June 28, 1955 (Act No. 60) is amended to read

Section 1 A Delegation of Taxing Powers and Restrictions Thereon The duly constituted authorities of the following political subdivisions cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class may in their discretion by ordinance or resolution for general revenue purposes levy assess and collect or provide for the levying assessment and collection of such taxes as they shall determine to be paid by the transferor or transferee as determined by the taxing authority upon the transfer of real property or of any interest in real property situate within such political subdivisions regardless of where the instruments making the transfers are made executed or delivered or where the actual settlements on such transfers take place and on persons transactions occupations privileges subjects and personal property within the limits of such political subdivisions except that such local authorities shall not have authority by virtue of this act (1) to levy assess and collect or provide for the levying assessment and collection of any tax on the transfer of real property when the transfer is by will or the intestate laws of this Commonwealth or on a privilege transaction subject occupation or personal property which is now or does hereafter become subject to a State tax or license fee or (2) levy assess or collect a tax on the gross receipts from utility service of any person or company whose rates and services are fixed and regulated by the Pennsylvania Public Utility Commission or on any public utility services rendered by any such person or company or on any privilege or transaction involving the rendering of any such public utility service or (3) except on sales of admission to places of amusement or on sales or other transfers of title or possession of property to levy assess or collect a tax on the privilege of employing such tangible property as is now or does hereafter become subject to a State tax or (4) to levy assess and collect a tax on goods and articles manufactured in such political subdivision or on the by-products of manufacture or on minerals timber natural resources and farm products produced in such political subdivision or on the preparation or processing thereof for use or market or on any privilege act or transaction related to the business of manufacturing the production preparation or processingof minerals timber and natural resources or farm products by manufacturers by producers and by farmers with respect to the goods articles and products of their own manufacture production or growth or on any privilege act or transaction relating to the business of processing by-products of manufacture or on the transportation loading unloading or dumping or storage of such goods articles products or by-products (5) to levy assess or collect a tax on salaries wages commissions compensation and earned income of nonresidents of the political subdivision Provided That this limitation (5) shall apply only to school districts of the second third and fourth classes (6) to levy assess or collect a tax on personal property subject to taxation by counties or on personal property owned by persons associations and corporations specifically exempted by law from taxation under the county personal property tax law Provided That this limitation (6) shall not apply to cities of the second class

Subject to the limitations prescribed in this act the duly constituted authorities of townships of the second class may in their discretion by ordinance or resolution for general revenue purposes levy assess and collect or provide for the levying assessment and collection of any one or more of the following taxes

(1) A per capita tax upon individuals not to exceed $5

(2) A tax on the transfer of real property as herein provided for other political subdivisions

(3) A tax on admissions to places of amusement athletic events and the like

(4) A tax on the use or occupancy of house trailers suitable for living quarters

No township shall levy a per capita tax for the same period for which it levies an occupation tax

Every ordinance or resolution which imposes a tax under the authority of this act shall impose such tax for one year only and shall be passed or adopted if for a school district during the period other school taxes are required by law to be levied and assessed by such district. Each ordinance and resolution shall state that it is enacted under the authority of the act of June twenty-fifth one thousand nine hundred forty-seven (P. L. 1145) and its amendments Any ordinance or resolution now in effect which imposed any such tax for a period of more than one year shall remain in effect and the taxes imposed by such ordinance or resolution shall be collected for the current tax year only

* * *

Section 2 All ordinances and resolutions heretofore adopted imposing taxes upon the transfer of real property or of any interest in real property and directing the tax to be paid by the transferee shall continue in full force and effect All such ordinances and resolutions and the collection of all taxes thereunder are validated

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Reprsentatives for concurrence.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 794, Printer's No. 1001, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1050, as follows:

An Act fixing the salary of the clerk of the court of oyer and terminer quarter sessions of the peace and of the municipal court and the first and second deputies in Philadelphia and repealing certain legislation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The annual salary of the clerk of the court of oyer and terminer and quarter sessions of the peace and of the municipal court shall be at the rate of fifteen ($15,000) thousand dollars

The annual salary of the first deputy shall be at the rate of eleven thousand dollars ($11,000) the annual salary of the second deputy shall be at the rate of nine thousand dollars ($9,000)

Section 2 The following acts are repealed in so far as they relate to the annual salary to be paid to the clerk of the court of oyer and terminer and quarter sessions of the peace and of the municipal court and the first and second deputies in Philadelphia

The act of May 13 1927 (P L 982) entitled "an act relating to the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court of any county of this Commonwealth having a population of one million five hundred thousand or over providing for the salaries and compensation of the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court deputies clerks and employes thereof" The act of June 21 1947 (P L 849) entitled "An Act increasing the salaries of certain elected officers whose salaries are payable out of the treasury of cities of the first class"

Section 3 This act shall take effect January 2 1956

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1173, as follows:

An Act amending the act of June 23 1931 (P L 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting contributors to the police pension fund to withdraw their increment contributions under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Caluse (4) subsection (b) of section 4303 act of June 23 1931 (P L 932) known as "The Third Class City Code" reenacted and amended June 28 1951 (P. L. 662) and amended January 18 1952 (P. L. 2105) is amended to read

Section 4303 Allowances and Service Increments * * *

(b) In addition to the retirement allowance which is authorized to be paid from the police pension fund by this act and notwithstanding the limitations therein placed upon such retirement allowances and upon contributions every contributor who shall become entitled to the retirement allowance shall also be entitled to the payment of a "service increment" in accordance with the subject to the conditions hereinafter set forth

* * *

(4) Service increment contributions shall be paid at the same time and in the same manner as retirement contributions and may be withdrawn in full without interest by persons who leave the employment of such city subject to the same conditions by which retirement contributions may be withdrawn or by persons who retire before becoming entitled to any service increment

* * *

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1503, as follows:

An Act amending the act of May 28 1913 (P L 367) entitled "An act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum thereof" removing the limitation on the maximum salary which may be paid to directors or heads of departments in cities of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of May 28 1913 (P L 367) entitled "An act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum thereof" amended April 1 1931 (P L 13) is amended to read

Section 1 Be it enacted &c That the salaries of the director or head of each department of cities of the second class of this Commonwealth shall be fixed by the council of said cities [in a sum not to exceed twelve thousand ($12,000) dollars per annum]

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1724, as follows:

An Act amending the act of May 25 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" changing the method of computing pensions and providing a method of paying service increments from the pension fund to employes of the bureau of fire after retirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of May 25 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" is amended by adding after section 12.1 three new sections to read

Section 12.2 Any person who shall after the effective date of this act be employed by the bureau of fire of the city and who shall become a member of the fund and who after twenty or more years service and before attaining the age of fifty years shall be separated from the service by reason of no cause or act of his or her own if such member continues to contribute to the pension fund monthly a sum equal to the last monthly contribution paid while in employ such former employe shall when he or she reaches the age of fifty years be eligible to receive a pension allowance

Section 12.3 Any person who shall after the effective date of this act be employed by the bureau of fire of the city and who shall become a member of the fund and who after twenty or more years service retires voluntarily before reaching the age of fifty years shall pay into the pension fund monthly a sum equal to the last monthly contribution paid while in the service until he or she reaches the age of fifty years when such former employe shall be eligible to receive a pension allowance

Section 12.4 In every city of the second class in addition to the pension which is authorized by law and notwithstanding the limitations therein placed upon pensions and upon contributions every contributor who shall have otherwise become entitled to the pension and who has reached the age of fifty years shall also be entitled to the payment of a service increment in accordance with and subject to the conditions hereinafter set forth

(1) Service increment shall be the sum obtained by computing the number of whole years after the completion of twenty years' service which a contributor has been employed by the bureau of fire and paid out of the city treasury and multiplying the number of years so computed by an amount equal to five dollars for each month of service beyond twenty years of service This sum shall be divided by twelve to arrive at the monthly increment payment In computing the service increment no employment after the contributor has reached the age of sixty-five years shall be included and no service increment shall be paid in excess of one hundred dollars per month

(2) Each contributor from and after the effective date of this amendment shall pay into the retirement fund as the contribution to the increment fund a monthly sum in addition to his or her retirement contribution which shall be equal to one-half of one per centum of his or her salary Such payment shall not exceed the sum of one dollar per month The service increment contribution shall not be paid after a contributor has reached the age of sixty-five years

(3) Persons who are contributors on the effective date of this amendment who have already reached the age of sixty-five years shall have his or her service increment computed on the years of employment prior to the date of reaching his or her sixty-fifth birthday Such person however shall be entitled to the increment only by paying in the one dollar per month contribution for the number of months his or her service exceeds twenty years but such contribution shall not exceed a total of one hundred dollars

(4) Service increment contributions shall be paid at the same time and in the same manner as pension contributions and may be withdrawn in full without interest by persons who leave the employment of the bureau of fire subject to the same conditions by which pension contributions may be withdrawn When any

person is re-employed by the bureau of fire after withdrawal of pension contributions his or her prior service shall not be used in the computation of service increment unless the amount of such contributions be repaid into the pension fund subject to the same conditions by which pension fund withdrawals are permitted to be repaid

(5) All employes of the bureau of fire who are now contributors to the pension fund and all persons who are employed by the bureau of fire after the effective date of this amendment who are required to become contributors to the pension fund shall be subject to the provisions of this section

Section 2 The provisions of this amending act shall have no application to or any effect on pensions now being paid to persons retired on the effective date of this act nor shall persons on retirement pension on the effective date of this act if re-employed receive any increase in pension as a result of these amendments

Section 3 Section 3 act of May 22 1951 (P. L. 328) is repealed

Section 4 This act shall take effect January 1 1956

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that House Bill No. 386, Printer's No. 1033, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 584, Printer's No. 267;

House Bill No. 620, Printer's No. 1034;

Senate Bill No. 657, Printer's No. 278; and

Senate Bill No. 672, Printers No. 280.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 673, Printer's No. 270, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. STIEFEL. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. STIEFEL. Senator Pechan, in the words of Alice in Wonderland, this situation is getting "curiouser and curioser." What is the purpose for the delay? Is it simply for further study or for eventual strangulation?

Mr. PECHAN. I am sure, Mr. President, that time will tell that it is for further study. The gentleman from Philadelphia, Senator Stiefel, has been in the Senate long enough to know that we give all of these bills study, until we are satisfied that they are as they should be. We put them over in order until we can give them further study.

Mr. STIEFEL. Mr. President, this is one instance when time is on my side, because I understand that the State Federation of Historical Societies has studied these bills yesterday and today. They will rally to our support. Furthermore, my amendment, which was introduced yesterday, has cured the bill to such an extent that it is now unassailable.

The PRESIDENT. There being no objection, the bill will go over in its order.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 716, entitled:

An Act amending the act of May 29 1931 (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HALUSKA offered the following amendments:

Amend Section 1 (Section 9), page 4, line 5, by striking out after the word "by" and before the word "within" the following: "certified mail" and inserting in lieu thereof the following: "postage prepaid United States registered mail return receipt requested or United States certified mail return receipt requested or any other form of United States mail service which provides both for the post office to maintain a record of delivery and for the sender to obtain a receipt evidencing delivery signed by the addressee or his agent Such notice shall be mailed"; Amend Section 1 (Section 9), page 4, line 7, by striking out at the end of the line after the word "address" the following: "and to all lien creditors at their"; Amend Section 1 (Section 9), page 4, by striking out line 8; Amend Section 1

(Section 9), page 4, line 9, by striking out at the beginning of the line before the word "rights" the following: "tor advising them of their" and inserting in lieu thereof the following: "advising him of his"; Amend Section 1 (Section 12), page 5, line 17, by striking out at the end of the line after the word "registered" the following: "and to lien creditors".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 716, Printer's No. 272, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed Senate Bill No. 785, entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursement to school districts.

PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, I want to report two bills at this time, because they should properly be reported at the same time as Doctor Chapman's. I am directed by the Committee on Appropriations to report these two bills, House Bill No. 1555, as committed, and House Bill No. 1628, as amended. I think it is highly important that a statement be made clarifying the school money situation at this time.

Some of you will recall that about a month ago, I took the floor and made a plea for the reimbursement of school districts whose subsidies for rentals and for teachers' salaries have been long delayed, necessitating that they borrow money. We had quite a discussion that day; it was not argumentative. We had quite a discussion about which bill should be used to accomplish this purpose. There were those who felt that the bills which had already passed the House, to take care of rentals and teachers' salaries, should be passed in the Senate. There were those, including myself, who felt that we should pass Senator Mahany's sponsored bills, which are still on the Senate Calendar. The reason for that thinking was because a lot of legal experts—and I am not one of them—felt that House Bill No. 1555, Mr. President, was not entirely legal or constitutional or cricket, or whatever you choose to call it, because it increases an appropriation which was made last biennium, and October is a little late in the year to do that. However, I said that day, and I think every man in the Senate agreed with me in substance, that it did not matter particularly whether it was a House bill or a Senate bill that would do the trick. We owe it to the school districts, and the school children of Pennsylvania, to pay them the amounts that we promised them and to reimburse them as per the accepted formula for that purpose.

I think, Mr. President, we have finally resolved the issue to the point that we are ready to report these bills which, with Senator Chapman's bill, will appropriate sufficient moneys to catch up with the slack, to satisfy the school districts who had to borrow money for the delayed appropriations and to take care of the payments which will be due this month, next month and in the month of December to the schools of Pennsylvania.

Might I say that we must alert all those who are interested to scrutinize House Bill No. 1628, and if it should be found that any change is necessary, or any substitution must be made, it was a mistake of the head rather than a mistake legislatively. All the Members of the Senate, I am quite positive, join me in announcing happily that apparently the school financial problem for the immediate season will be settled once these three bills reported out this afternoon are finally passed.

Accordingly, Mr. President, these bills are being reported from the Committee on Appropriations.

REPORTS FROM COMMITTEE

Mr. WAGNER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The President. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Appropriations, reported as committed House Bill No. 1555, entitled:

An Act to amend an act approved the twenty-second day of August one thousand nine hundred fifty-three (Appropriation Acts page 54) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three" by changing the amount appropriated to the Department of Public Instruction.

He also, from the Committee on Appropriations, reported as amended House Bill No. 1628, entitled:

An Act making an appropriation to the Department of Public Instruction for payments to school districts on account of rentals payable to municipal authorities and nonprofit corporations.

CALENDAR
SECOND READING CALENDAR

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 730, entitled:

An Act amending the act of July 7 1947 (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school

districts except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" providing for the use of United States certified mail service in lieu of United States registered mail when required by the act for the purpose of giving of notice

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the folowing amendments:

Amend Section 1 (Section 308) page 3, line 8, by inserting after the word "by" and before the word "United" the following: "["; Amend Section 1 (Section 308), page 3, line 9, by inserting after the word "prepaid" and before the syllable "ad-" the following: "] postage prepaid United States registered mail return receipt requested or United States certified mail return receipt requested or any form of United States mail service which provides both for the post office to maintain a record of delivery and for the sender to obtain a receipt evidencing delivery signed by the addressee or a member of his immediate family. Such notic shall be".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Section 2 (Section 602), page 5, line 12, by inserting after the word "publications" and before the word "notice" the following: "[" Amend Section 2 (Section 602), page 5, line 16, by inserting after the word "if" and before the word "no" the following: "] the bureau shall also send notice to each owner as defined by this act by postage prepaid United States registered mail return receipt requested or United States certified mail return rceipt requested or any other form of United States mail service which provides both for the post office to maintain a record of delivery and for the sender to obtain a receipt evidencing delivery signed by the addressee or his agent. Such notice shall be mailed at least ten (10) days prior to the date of sale and addressed to such owner's last known post office address. If".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Section 3 (Section 611), page 7, line 7, by inserting after the word "him" and before the word "by" the following: "["; amend Section 3 (Section 611), page 7, line 8, by inserting after the word "prepaid" and before the word "at" the following: "] a true and attested copy thereof by United States registered mail return receipt requested or United States certified mail return receipt requested or any other form of United States mail service which provides both for the post office to maintain a record of delivery and for the sender to obtain a receipt evidencing delivery signed by the addressee or his agent. Such copy shall be mailed";

Amend Section 3 (Section 611), page 7, line 8, by inserting after the word "day" and before the word "of" the following: "["; amend Section 3 (Section 611), page 7, line 9, by inserting after the word "thereof" and before the word "addressed" the following: "] and"; amend Section 3 (Section 611), page 7, line 12, by striking out after the bracket and before the word "mail" the following: "certified".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 730, Printer's No. 273, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 731, Printer's No. 274, on second reading, go over in its order.

Mr. PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 746, Printer's No. 275, on second reading, go over in its order.

Mr. PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors over-

seers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for annual salaries for county commissioners and controllers in counties of the second class for services as officers of the institution district.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. HALUSKA and WAGNER offered the following amendments:

Amend Sec. 1 (Sec. 303), page 2, line 5, by striking out "each commissioner in counties of"; Amend Sec. 1 (Sec. 303), page 3, lines 1 and 2, by striking out all of line 1, and "five hundred dollars ($2500)" in line 2; Amend Sec. 1 (Sec. 303), page 3, line 2, by inserting a bracket before "of"; Amend Sec. 1 (Sec. 303), page 3, line 6, by inserting after "in" where it appears the second time, the following:] shall receive an additional annual salary as follows: (1) In second class counties, twenty-five hundred dollars ($2500); (2) In third class counties, two thousand dollars ($2000); (3) In fourth class counties, fifteen hundred dollars ($1500); (4) In fifth class counties, one thousand dollars ($1000); (5) In sixth class counties, seven hundred fifty dollars ($750); (6) In seventh class counties, one thousand dollars ($1000); (7) In eighth class counties, five hundred dollars ($500). In"

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. HALUSKA and WAGNER offered the following amendment:

Amend Title, page 2, next to last line of Title, by striking out "in counties of the second class".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that House Bill No. 954, Printer's No. 1035, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 33, entitled:

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge now under construction and the Saw Mill Run Interchnage of Parkway-West; providing for the necessary approaches and connections with State highways; empowering counties to pay certain damages; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 284, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating the State Board of Chiropody Examiners as a departmental administrative board in the Department of Public Instruction.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 285, entitled:

An Act relating to the practice of chiropody; conferring powers and imposing duties on the State Board of Chiropody Examiners nad the Department of Public Instruction; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 382, entitled:

An Act amending the act of May 7, 1937 (P. L. 589), entitled, as amended, "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking relocating, widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change

of grade and the determination of damage to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations or corporations to enter into agreements with the Commonwealth to bear a portion of the costs of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detoursffi authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 436, entitled:

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian, Gertrude Martin Rohrer, as the State song of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 535, entitled:

An Act prohibiting the imposition of wage, income, or occupation taxes by cities of the second class, on nonresidents of the city, and abolishing such taxes heretofore imposed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 539, entitled:

An Act relinguishing Commonwealth rights in property in control of the Trustees of the University of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 540, entitled:

An Act relinquishing Commonwealth rights in property in control of the Trustees of Temple University.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 541, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating the General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizinfi and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreement with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering the General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," authorizing the sale, transfer and conveyance of property or interest therein.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 574, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire, by gift, the Old Brown's Mill building and project in Antrim Township, Franklin County; and providing for its maintenance and control.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 587, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire five tracts of land in the Borough of West Chester, Chester County, for use of West Chester State Teacher's College, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 590, entitled:

An Act amending the act of July 29, 1953 (Appropriation Acts 19, No. 24-A) entitled "An act making an appropriation to the Department of Mines for the sealing and dewatering of and extinguishment of fires in abandoned coal mines," authorizing the use of the funds for flushing mine voids in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 633, entitled:

An Act repealing the last paragraph of section 5, act of May 23, 1874 (P. L. 230), entitled "An act dividing the cities of this state into three classes, regulating the passage of ordinances, providing for contracts for supplies and work for said cities, authorizing the increase of indebtedness, and the creating of a sinking fund to redeem the same, defining and punishing certain offenses in all of said cities, and providing for the incorporation and government of cities of the third class," which requires publication each year of a statement of all delinquent taxpayers in cities of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 656, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entntiled (An act concerning boroughs and revising amend-

ing and consolidating the law relating to boroughs," increasing the maximum compensation payable to councilmen in boroughs whose population is more than five thousand.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 661, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eight classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessments and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment," increasing the compensation of assessors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 680, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 84.69 acres more or less of land situate in Butler Township Adams County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 682, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," changing salaries of district attorneys in counties of the sixth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 773, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection fo the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," prohibiting the operation of motor vehicles the mufflers of which have internal parts removed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 776, entitled:

An Act amending the act of May 16, 1921 (P. L. 579), entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third, fourth and fifth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline, and employment of prisoners and the government and management of said jails or county prisons," giving wardens, deputies and other appointees of the board powers of peace officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 780, entitled:

An Act amending the act of July 2, 1937 (P. L. 2821), entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fradulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of licensee fees for permission to conduct the same" making the provisions of the act effective in municipalities and townships further regulating statements of inventories further regulating the issuance renewal denial and refusal of licenses and the conduct of sales designating certain actions as violations of the act authorizing appeals from refusal or denial to issue licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 785, entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursements to school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 834, entitled:

An Act amending the act of May 9, 1949 (P. L. 927) entitled "An act fixing and regulating the fees commissions mileage and other costs chargeable by the sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaries sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local" changing fees commissions mileage and other costs chargeable by sheriffs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1072, entitled:

An Act approving, ratifying and enacting into law the Great Lakes Basin Compact making the Commonwealth of Pennsylvania a party thereto creating "The Great Lakes Commission" providing for the members thereof from the Commonwealth of Pennsylvania providing for the carrying out of the purposes of the compact and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1104, entitled:

An Act amending the act of April 21, 1949 (P. L. 665), entitled "An act to carry into effect section one of article fifteen of the Constitution, giving cities of the first class the right and power to frame, adopt and amend their own charters and to exercise the powers and authority of local self-government, and providing the procedure therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city councils, city officers, county boards of elections, courts and the Secretary of the Commonwealth; and providing for the payment of certain expenses by such cities; and imposing penalties," providing for the revision of home rule charters; providing for the establishment of a charter revision commission for the purpose of making revisions; and imposing duties upon city councils, city officers, boards of election, courts and the Secretary of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first readnig and consideration of House Bill No. 1105, entitled:

An Act providing for acceptance as a donation of a building known as Patients Store and Library, at the Norristown State Hospital this structure to be owned and maintained by the Commonwealth as a part of the Norristown State Hospital.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1143, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating, as a departmental administrative advisory board, the Coal Research Board in the Department of Mines, prescribing its organization, powers and duties, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1332, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by regulating the salary of mine inspectors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1333, entitled:

An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor" by further regulating the salary of the first aid and mine rescue instructors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1338, entitled:

An Act to further amend the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor; the fixing of their salaries and necessary expenses incurred in the performance of their duties; and the fixing

of the qualifications which shall be possessed by persons appointed to the position of electrical inspector," by regulating the salary of electrical inspectors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1350, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Bristol, certain real property located in the borough.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1363, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey fifteen acres of land in East Norriton Township, Montgomery County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1425, entitled:

An Act amending the act of July 15 1897 (P. L. 287) entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth and to provide for the examination of persons seeking employment as miners in the anthracite region and to prevent the employment of incompetent persons as miners in anthracite coal mines and providing penalties for a violation of the same" establishing Miners Examining Boards in certain counties decreasing the number of miners on each board and changing the method of their appointment increasing the compensation of board members changing certain powers of the boards and members thereof and increasing examination fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1426, entitled:

An Act amending the act of June 2 1891 (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" increasing the compensation of members of the examining boards

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1501, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey real property situate in the borough of West Chester Chester County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1511, entitled:

An Act relating to reciprocal agreements for the interstate transportation and support of the mentally ill.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1512, entitled:

An Act authorizing cooperative return of parole and probation violators and the making of contracts or deputization of persons pursuant thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1534, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to accept a tract of land and buildings thereon erected in the Borough of California, Washington County, Pennsylvania, containing 25.609 acres for the use of the California State Teachers' College.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1537, entitled:

An Act authorizing Department of Property and Supplies with the approval of the Governor to sell and convey 50.6 acres more or less of land situate in Cecil Township, Washington County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1538, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 90 acres more or less of land situate in North Strabane Township, Washington County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1539, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 40 acres more or less of land situate in Cecil Township, Washington County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1540, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 64 acres more or less of land situate in Cecil Township, Washington County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1541, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 117 acres more or less of land situate in Cecil Township, Washington County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1548, entitled:

An Act amending the act of May 31, 1923 (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualifications as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear. providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen, and fire bosses; providing a penalty for forging or making false statements regarding certificates," increasing compensation of board members and of the committee of six.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1549, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments. boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the per diem compensation and mileage rate of the members and secretary of the Anthracite Mine Inspectors' Examining Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1550, entitled:

An Act amending the act of April 29, 1937 (P. L. 551), entitled "An act prohibiting the employment of miners, as herein defined, in the bituminous coal mines, unless certificated by a miner's examining board; providing for the appointment of such boards, and defining their powers and duties; providing penalties; and making an appropriation," increasing per diem compensation of members of miners' examining boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1551, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the per diem compensation and mileage rate of the members and secretary of the Bituminous Mine Inspectors' Examining Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1555, entitled:

An Act to amend an act, approved the twenty-second day of August, one thousand nine hundred fifty-three (Appropriation Acts, page 54), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-three, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-three," by changing the amount appropriated to the Department of Public Instruction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1572, entitled:

An Act relating to coal mining, well operations and the underground storage of gas and the safety of personnel and facilities employed therein; prescribing the rights and duties of well operators, before, during, and after the drilling of wells for the production, extraction or storage of any gas, petroleum or other liquid; regulating the underground storage of gas under workable coal seams; prescribing the rights and duties of owners and operators of coal mines in relation to wells and underground storage areas; granting certain corporations a limited right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas; creating the Oil and Gas Division of the Department of Mines and defining its personnel powers and duties; providing for hearings and the procedures to be followed therein and imposing duties upon the courts and providing methods for the enforcement of the provisions of this act and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1628, entitled:

An Act making an appropriation to the Department of Public Instruction for payments to school districts on account of rentals payable to municipal authorities and non-profit corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1630, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, ctiies, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating registration of antique motor vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1676, entitled:

An Act authorizing townships of the first class in certain cases to convey to a volunteer fire company or association the townships' interests in real property upon approval of the court of common pleas of the county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

CALENDAR

FINAL PASSAGE CALENDAR

SENATE BILL No. 721 CALLED UP

Mr. LANE. Mr. President, I call up from the Final Passage Calendar, Senate Bill No. 721, Printer's No. 251, which went over in its order temporarily.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I now ask unanimous consent that Senate Bill No. 721, Printer's No. 251, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Friday, October 7, 1955, at 9:00 o'clock, a. m., Eastern Standard Time.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:09 o'clock, p. m., Eastern Standard Time, until Friday, October 7, 1955, at 9:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, October 6, 1955.

The House met at 10:00 a. m. EST.
The SPEAKER (Hiram G. Andrews) in the Chair.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, October 5, 1955, will be postponed until printed. The Chair hears none.

ORDER OF BUSINESS DISPENSED WITH

The SPEAKER. If there is no objection, the Chair will dispense with the regular order of business. The Chair hears none.

BILL INTRODUCED AND REFERRED

By Mr. WORLEY. HOUSE BILL No. 1830.

An Act providing for a referendum to determine the will of the electorate with respect to the adoption of daylight saving time.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Mr. WORLEY. RESOLUTION (Not Printed).

In the House of Representatives, October 5, 1955.
The President of the United States has made outstanding progress in his effort to return to good health after his recent illness.
At a great cost to the Nation and personal sacrifices, his official family and advisors in the performance of their duties must go back and forth between Washington and Denver, Colorado, where President Eisenhower is now hospitalized.
Sometime ago he saw fit to make his permanent home near Gettysburg in Adams County, Pennsylvania. Because of its relative proximity to Washington, it would be ideal for a temporary location for the "White House"; therefore be it
Resolved, That the members of the House of Representatives of the Commonwealth of Pennsylvania urge the President of the United States, Dwight D. Eisenhower, to establish, during his convalescence, the White House at his home in Adams County as soon as he is permitted to do so by his physicians; and be it further
Resolved, That a copy of this resolution be transmitted to Sherman Adams, the Assistant to the President, by the clerk of the House of Representatives.

Referred to the Committee on Rules.

RESOLUTION

RECALLING HOUSE BILL No. 121 FROM GOVERNOR

Mr. READINGER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, October 6, 1955.
Resolved (if the Senate concur), that House Bill No. 121, Printer's No. 856, entitled "An act amending the act of March ten one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' authorizing the leasing of school buildings and athletic fields to organizations or groups for athletic purposes," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 31, 32, 37, 38, 921, 922, 1278, 1355, 1375, 1553, 1721 and 1800.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Stepember 27, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 31, Printer's No. 13, entitled "An act reenacting and amending the act of May sixteen one thousand nine hundred thirty-five (P. L. 208) entitled as amended 'An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom confering powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties' extending its provisions for a further limited period of time changing the definition of net income in certain cases and changing the rate of tax applicable to stock life insurance companies."

GEORGE M. LEADER.

September 27, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 32, Printer's No. 14, entitled "An act reenacting and amending the act of August twenty-fourth one thousnad nine hundred fifty-one (P. L. 1417) entitled as amended 'An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties' extending its provisions for a further limited period of time and changing the definition of net income in certain cases."

GEORGE M. LEADER.

September 27, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 37, Printer's No. 10, entitled "An act amending the act of June one one thousand eight hundred and eighty-nine (P. L. 420) entitled 'A further supplement to an act entitled "An act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons."

GEORGE M. LEADER.

September 27, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 38, Printer's No. 11, entitled "An act amending the act of June first one thousand eight hundred eighty-nine (P. L. 420) entitled 'A further supplement to an act entitled "An act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time."

GEORGE M. LEADER.

September 27, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 921, Printer's No. 590, entitled "An act amending the act of March 10, 1949 (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' authorizing school directors to invest certain funds in legal investments."

GEORGE M. LEADER.

September 27, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 922, Printer's No. 684, entitled "An act amending the act of March 10, 1949 (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' removing the requirement that auctions be conducted by licensed auctioneers."

GEORGE M. LEADER.

September 27, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1278, Printer's No. 533, entitled "An act amending the act of March 10, 1949 (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' authorizing school districts of the first class to dedicate sell donate convey or lease real estate to the city comprising the district for any purpose with or without consideration."

GEORGE M. LEADER.

September 27, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1355, Printer's No. 695, entitled "An act amending the act of March 10, 1949 (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' further defining the circumstances under which the approval of the Department of Public Instruction is required for construction or repairs."

GEORGE M. LEADER.

September 27, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1375, Printer's No. 491, entitled "An act amending the act of March 10, 1949 (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' providing for the compensation of certified public accountants employed by school districts of the fourth class."

GEORGE M. LEADER.

September 29, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1553, Printer's No. 506, entitled "An act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-five and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five."

GEORGE M. LEADER.

September 29, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1721, Printer's No. 951, entitled "An act amending the act of May 15, 1933 (P. L. 624) entitled as amended 'An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts' providing for notice by publication in the cases of mergers and consolidations to corporations and persons interested in funds property and investments held in a fiduciary capacity."

GEORGE M. LEADER.

September 29, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1800, Printer's No. 975, entitled "An act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five."

GEORGE M. LEADER.

SENATE MESSAGE

RECALLING SENATE BILL No. 603 FROM GOVERNOR

The Clerk of the Senate being introduced presented

an extract from the Journal of the Senate, which was read as follows:

In the Senate, October 5, 1955.

Resolved (if the House of Representatives concur), that Senate Bill No. 603, Printer's No. 22, entitled "An Act amending the act of June 24, 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" authorizing the sale of surplus farm products and other personal property."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 162.

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing rental charge allowed for use of receiving district's school plant in calculating tuition charge per high school pupil to be paid by sending district.

With the information that the Senate has passed the same without amendment.

RESOLUTION

HONORING GENERAL CASIMIR PULASKI

Messrs. KAMYK, KOLANKIEWICZ and PETROSKY asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, October 6, 1955.

October 11th is Pulaski Day by Presidential Proclamation.

General Casimir Pulaski, Polish patriot who died 176 years ago, participating in the American Revolution, was honored with military parades in many cities, including Philadelphia and New York on October 2, and with memorial ceremonies throughout the United States.

Little known before, the exploits of the dashing Pulaski, which became a legend in the annals of American History, have been traced to many local areas, including Philadelphia, Valley Forge, Whitemarsh, Germantown, Upper Merion, Lower Salford, Plymouth, Towamencin, Skippack, Worcester and others.

In this respect, it is most fitting to note, how the tree of Americanism, grew forth from the roots of Europe's soldier servants. It was Lafayette and Rochambeau of France; Von Steuben and DeKalb from Germany, Kosciuszko and Pulaski of Poland.

The military activities of Pulaski in the United States began in August of 1777 when he and General Lafayette reported for duty with the Continental Army, which was encamped along York Road, near the Little Neshaming Creek in Bucks County. General Washington was much impressed with this young soldier and as his first assignment, the Commander-in-Chief appointed Pulaski his bodyguard. At the Battle of Brandywine, on September 11, Pulaski led his small detachment in such brilliant maneuvers, Washington had him recommended to Congress for duties of higher echelon. On September 21, 1777 Congress made Count Pulaski a Brigadier General in command of four horse regiments. With distinguished service at the Battle of Germantown on October 4, Pulaski's dragoons participated in bitter rear guard action, covering Washington's movements along the Skippack, between the Perkiomen and Whitemarsh.

Perhaps the outstanding fact gathered from newly discovered documents was that General Pulaski offered his services free to the American cause, but when he found out that many of his associates did not appreciate his efforts, he asked for his yearly pay. A portion of these funds were used later to equip his own corps.

Upon the request of Pulaski, who at one time submitted his resignation in dispute with some of his subordinate officers, but later withdrew, was granted authority by Congress to organize his own corps. Later, the War Council gave him command over all foreigners and enlarged his Infantry to a Regiment.

The last document in the war by Pulaski was a letter written to Congress in August 19, 1779, which read in part: "Be more just, Gentlemen, and know that as I could not submit to stoop before the Sovereigns of Europe, so I came to hazard all the freedom of America, and desirous of passing the rest of my life in a country truly free and before settling as a citizen, to fight for liberty. The campaign is at hand, perhaps I may still have occasion of showing that I am a friend to the cause without being happy enough to please some individuals."

After assignment of the Pulaski Legion to the south, operating in Georgia and South Carolina, the War Council called for an attack on Savannah to start on October 8, 1779. Flanking columns under the overall command of General Lincoln were to attack eastern and rear fortifications; Admiral D'Estaing, French Commander, was to lead the frontal and main ground attack. Pulaski to command American and French cavalry as rear guard. D'Estaing by clever tactics reached the Redoubt and forced his way to the abatis. Soldiers planted the American and French flags on the parapets. Victory was in sight. The British, although surprised, struck back with sea and land cannons, crossfiring the area. Wounded in trying to rally the troops, D'Estaing displayed great gallantry. Pulaski, seeing the retreat from this strategic position, rushed forward with his aide, Captain Bentalon to take command. Charging on his white horse, Pulaski called, "Forward Brothers, Forward." At that instant a cannon shot hit his leg and at the same time killing his horse. Both Admiral and General were evacuated. On October 11, 1779 aboard the U. S. Ship Wasp, on its way to Charleston, Pulaski died in great agony. In the intense heat, his corpse was decomposing and had to be buried at sea.

This ended the career of Casimir Pulaski, "The Father

of American Cavalry," whose soldiery sacrifice was more appreciated after his death than during his lifetime; therefore be it

Resolved, That we pause to pay tribute to General Casimir Pulaski, Poland's hero who gave his life for America's freedom; and that we draw inspiration from his greatness and cherish his sacrifices and loyalty to the United States of America.

RESOLUTION

CONDOLENCE

Messrs. KOLANKIEWICZ and KAMYK offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, October 6, 1955.

The House of Representatives has learned of the death of Phoebe Mary Mullen Taylor, wife of Martin J. Taylor, a member of the House of Representatives.

Phoebe Mary Mullen Taylor was born in the city of Philadelphia, Pennsylvania on October 15, 1896 and died on October 2, 1955. She married Bartin J. Taylor on June 13, 1913 and had two children, Catherine Veronica Taylor Glowka and John Martin Taylor and five grandchildren, Albert and Dorothea Glowka; Maryann, Jacqueline and John Martin Taylor, Jr.

During her lifetime Mrs. Taylor was a very active member of Mother Catherine Drexel's Auxiliary and particularly active in the affairs of the Democratic Party, together with her husband, Martin J. Taylor, who is the leader of the 45th Ward Democratic Executive Committee in addition to being a distinguished member of this House of Representatives. Mrs. Taylor had been a life-long resident of Philadelphia and the 45th Ward and was very close to her husband and to the people of her community.

Most of the present membership of the House, through years of association with Honorable Martin J. Taylor, have grown to prize their friendship for him and to hold him highly in their personal esteem. The loss he has suffered is one which they themselves feel most keenly; therefore be it

Resolved, That the House of Representatives pause in its deliberations to note the passing of the wife of a distinguished fellow member of the House; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable Martin J. Taylor and the family of the deceased, conveying thereby the profound sympathy of the House for them in their great bereavement.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 340.

An Act amending the act of April 17, 1947 (P. L. 63, No. 29) entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases" extending the provisions of the act to cities of the second class and excluding certain land from condemnation and further regulating the use of parking garages

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out after the figures "63" the following: "No. 29"; line 3, by striking out the heavy brackets before and after the word "any"; page 2, line 1, by striking out after the word "class" the word "and" and inserting the following: Excluding certain land from condemnation and further regulating the use of parking garages

Amend Section 1, page 2, line 1, by striking out after the "and" the following: "section 1" and inserting in lieu thereof the following: "sections 1, and 2 of"; line 2, by striking out after the figures "63' the following: "No. 29"

Amend Section 1, page 3, line 11, by inserting after the word "highways" the following: "Except that no property in cities of the second class which"; and striking out the words "at the effective date of this act" and inserting the following: "is used as a facility or facilities for the parking of motor vehicles so long as said property is continuously so used and so long as the operation of the said facility complies with parking and traffic ordinance of the city shall be taken by condemnation for such purpose provided however that no property devoted to a public use nor any property of a public utility company property used for burial purposes nor places of public worship shall be condemned."

Amend the Bill by inserting after line 5, the following: "Section 2 whenever any lands shall be acquired by any such city for parking lots or garages they may be operated by such city as parking lots or garages for parking motor vehicles only but not for the sale or distribution of any commodity except that portions of the street level or lower floors of the parking garages may be leased for commercial use including emergency automobile repair service and the sale by any lessee of the city of any commodity of trade or commerce or any service except the sale of gasoline or automobile accessories or when so provided by ordinance they may be let to and for private operation as parking lots or garages on such terms and conditions as may be prescribed by ordinance."

On the question,

Will the House concur in the amendments made by the Senate?

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1637.

An act making an appropriation to the Department of Property and Supplies for the payment of annual rates rentals and other charges to the General State Authority

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, Page 1, line 1, by striking out after the word "of" the following: "twenty-three million dollars ($23,000,000)" and inserting in lieu thereof the following: "twenty-five million five hundred thousand dollars ($25,500,000)."

On the question,

Will the House concur in the amendments made by the Senate?

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 705.

An Act providing for the payment of certain outstanding checks more than seven years old and making appropriations therefor

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 1 by striking out after the figures "24", the figures "1944" and inserting in lieu thereof the figures "1943";

Line 4, by striking out after the word "Fund" the figures "417.64" and inserting in lieu thereof the figures "779.26";

Line 7 by striking out after the figures "24" the figures "1944" and inserting in lieu thereof the figures "1943."

Amend the bill, page 3, by striking out all of line 11 as follows: "Section 6 This act shall take effect June 1, 1955."

On the question,

Will the House concur in the amendments made by the Senate?

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 162.

An Act amending the act of March ten one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well as to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing rental charge allowed for use of receiving district's school plant in calculating tuition charge per high school pupil to be paid by sending district

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1823, entitled:

An Act to further amend subsection (i) of section four of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1824, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" increasing the registration fees for motor vehicles and certain commerical motor vehicles and truck tractors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1825, entitled:

An Act to further amend subsection (i) of section four of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

The SPEAKER. If there is no objection, the bills on the final passage calendar will be passed over. The Chair hears none.

APPROPRIATION BILLS ON THIRD READING

The SPEAKER. If there is no objection, the appropriation bills on the third reading calendar will be passed over. The Chair hears none.

BILLS ON THIRD READING

The SPEAKER. If there is no objection, the bills on third reading calendar will be passed over. The Chair hears none.

The SPEAKER. The House will be at ease awaiting communications from the Senate.

BILLS INTRODUCED AND REFERRED

By Mr. READINGER. HOUSE BILL No. 1831.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by adding a certain classification and definition of motor vehicles and fixing a fee therefor.

Referred to the Committee on Motor Vehicles.

By Mr. READINGER. HOUSE BILL No. 1832.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled, as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by changing the maximum gross weights allowed for certain vehicles.

Referred to the Committee on Motor Vehicles.

By Mr. KOLANKIEWICZ. HOUSE BILL No. 1833.

An Act amending the act of April 15, 1873 (P. L. 75), entitled "An act relating to the fees of the surveyor general," increasing fees to be charged by the Department of Internal Affairs.

Referred to the Committee on State Government.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 268.

An Act amending the act of May 5, 1933 (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the court recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further defining and limiting the

rights, powers, duties, liabilities and immunities of such associations and making further provisions governing the transfer of share the payment of trustee accounts, authorized investments, security for mortgage loans, and loans secured by chattel paper.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 268.

An Act amending the act of May 5 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further defining and limiting the rights powers duties liabilities and immunities of such associations and making further provisions governing the transfer of shares the payment of trustee accounts authorized investments security for mortgage loans and loans secured by chattel paper

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, October 6, 1955.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, October 10, 1955, at two-thirty o'clock p. m., EST, and when the House of Representatives adjourns this week, it reconvene on Thursday, October 13, 1955, at twelve o'clock Noon, EST, and that when the Senate adjourns the week of October 10, 1955, it reconvene on Monday, October 24, 1955, at 2:30 o'clock p. m. EST, unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns the week of October 10, 1955, it reconvene on Monday October 24, 1955 at a time to be fixed by the House of Representatives unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, October 6, 1955.

Resolved (if the Senate concur), that House Bill No. 121, Printer's No. 856, entitled: An Act amending the act of March ten one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing the leasing of school buildings and athletic fields to organizations or groups for athletic purposes"

be recalled from the Governor for the purpose of amendment.

ADJOURNMENT

Mr. HOCKER. Mr. Speaker, I move that this House do now adjourn until Thursday, October 13, 1955 at 12:00 o'clock noon EST.

The motion was agreed to, and (at 2:27 p. m. EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

FRIDAY, October 7, 1955.

The Senate met at 9:00 o'clock a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

In the absence of the Chaplain, the following prayer was offered by the gentleman from Berks, Mr. RUTH:

Almighty and most merciful God, our Heavenly Father, we thank Thee today that Thou hast given us the privilege to be born in a land which is free, where we can worship Thee without let or hindrance, where we can speak and work without any hindrance on the part of government. We thank Thee that Thou has given us this privilege and we pray that Thou wilt help us so that we may always cherish this citizenship, first of all in Thy great Kingdom and then in our beloved Commonwealth here.

Use us each day so that we may build stronger, both in Thy Kingdom and here in our land, that Thy Name may have all the honor and the glory in a world without end, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. KESSLER and Mr. VAN SANT, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL NO. 514, PRINTER'S NO. 254

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 6, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 514, Printer's No. 254, entitled "An Act amending the act of May 17, 1917 (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' further providing for the suspension and revocation of registration by the State Board of Pharmacy."

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF STATE BOARD OF PHARMACY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 6, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Board of Pharmacy, for the term of six years, and until their successors shall have been appointed and qualified:

Jacob H. Katz, 1832 East Tulpehocken Street, Philadelphia, Philadelphia County. (Reappointment)

Sol S. Turnoc, SE Cor. 6th and Callowhill Streets, Philadelphia, Philadelphia County, to compute from October 10, 1955, vice Edward W. Tighe, Lancaster, resigned.

Harold Blid, 1801 Packer Street, McKeesport, Allegheny County, vice Edward C. Ifft, Pittsburgh, resigned.

GEORGE M. LEADER.

MEMBERS OF WASHINGTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 6, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Washington County Board of Assistance:

Mrs. Delia Kelly (Dem.), 988 Thompson Avenue, Donora, to serve until December 31, 1956. (Reappointment)

Mrs. Ruth A. Cummins (Rep.), 694 North Main Street, Washington, from April 1, 1954 until December 31, 1955, and until her successor is duly appointed and qualified.

Presley N. Wrenshall (Dem.), 253 East Wheeling Street,

Washington, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice Russell Z. Moninger, Washington, whose term expired.

Charles L. Martin (Dem.), Main Street, Ellsworth, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Brad R. Williams, Canonsburg, whose term expired.

Mrs. Mayme E. Martin (Dem.), 640 Duncan Avenue, Washington, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice George D. Grimes, Centerville, resigned.

Mrs. Elizabeth Gales (Dem.), 327 Phillips Street, Speers, Charleroi, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Irene Walker, Daisytown, deceased.

GEORGE M. LEADER.

PERSONAL PRIVILEGE

Mr. DENT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his question of personal privilege.

Mr. DENT. Mr. President and Members of the Senate, all of us realize that public service carries little or no reward. We do not often become excited as individuals when some person takes to the air and condemns us individually for our deeds or what they consider our misdeeds, for what we do or for what we fail to do. However, I think that all of us are a little disturbed when an individual, who poses as an educated man and who poses as a spokesman for a large group of our citizens, takes it upon himself to castigate the entire Membership of this Senate, the Membership of the House of Representatives and the entire governing body of this great Commonwealth.

To this man, I would say that we are not perfect. However, all of us are not entirely imperfect. Over the radio and at a public meeting, held in the city of Pittsburgh, he made a statement to the effect that this General Assembly was the cause of a condition in the school system of Pennsylvania that approached bankruptcy, and that following closely on the heels of the local bankruptcy in the school system was the bankruptcy in the State, itself; not only in its finances, but in the individuals who comprise the legislative body.

This man's name is Lumley, Mr. President. I started to go through what I call a mind to try to remember this man, Lumley. I remembered him after a little while as the man who haunted the halls of this Senate of Pennsylvania, using the political threat of the mass vote of the schoolteachers of Pennsylvania organized in the P.S.E.A., which he represented, to bludgeon through this Senate and House of Representatives unsound school legislation. We are today faced with the problem of providing some $600,000,000 for the school systems of this great State. Mr. Lumley, in his capacity of representing the P.S.E.A., had little or no consideration for the people of this State in his drive for greater rewards for the schoolteachers and the school system and without any regard as to where the finances were to come from. Those of us who have the responsibility of paying for the bills of the Commonwealth, including the local school districts, do not relish being called names by this fellow who has had his proboscis in the public trough ever since he was old enough to eat a full meal. As a reward for his chicanery, he was given a job in the Department of Public Instruction and there received a very fine salary for doing absolutely nothing but wearing hand painted yellow ties.

Mr. President, in my lifetime, I have learned to respect all men. I find it hard to believe that there is on this earth one individual whose character approximates a zero. Therefore, I will not say that this man represents a zero. I will say that he is one-minus.

We have not desroyed the school system and those of us who are conscientious in our duties—and I assume that all of us are—long ago recognized the needs of our school system. However, when you take a Commonwealth such as Pennsylvania and you start to put more of the State's revenues into local school districts, it necessitates an increase in revenues for the State. The problem is perennial. Every year we atempt to give more to our local districts for the schools, and every year we must raise taxes to meet the amounts that we give the schools. We may be slow in our actions. We just cannot go out and tax the people of Pennsylvania, the industries of Pennsylvania and the businesses of Pennsylvania without due deliberation. So, Mr. Lumley, who is still on the public payroll as a Superintendent of Schools in Wilkes-Barre, if his pay is held up a couple of days, he should not scream so loudly because he was the man who was the big influence behind the legislation that committed this General Assembly, previous General Assemblies and future General Assemblies to raising approximately $100,000,000 additional every two years to meet a debt incurred six years ago. If Mr. Lumley is such a magician and is such a statesman, and the rest of us are what he derisively called politicians, maybe he will run for the Senate up in Wilkes-Barre and then give us the benefit of his great undeveloped brain.

Mr. Lumley must remember that he is in public life. He is the worst kind of a politician because a true politician stands before the people in an elective district and bares his political soul to the whims and the doubts and the fire of the electorate on election day. The cheap, tawdry politician is the kind like Mr. Lumley, who lives off of a political payroll but never puts his record to the test of an election. All he must do is to mesmerize a couple local school directors. His job, mind you, pays him a minimum of seven times as much yearly pay as what the Members of this General Assembly receive. I have never heard Mr. Lumley take the floor anywhere and say that the Members of the General Assembly, who have the responsibility of the whole Commonwealth upon their shoulders, are underpaid. However, I have heard him squeal like a stuck hog about he, himself, being underpaid. We will raise the money and we will raise it in due time. We will do it in the most intelligent manner that we can, and we will try to do it in such a manner that it will not injure this Commonwealth or its peoples any more than taxes of a necessity must injure them. We will not be stampeded by Mr. Lumley or any of his stripe in this State.

I can only say this to Mr. Lumley. He, above all other persons in this Commonwealth, is more responsible for the problem that faces us at this time. He, above all other persons in this Commonwealth, has less right to condemn the Members of the General Assembly and more cause to praise because, realizing the terrible burden that we placed upon ourselves and future

General Assemblies, we did vote for increased and needed subsidies to the school systems of this great Commonwealth. God willing, we will continue in that process; we will continue to raise the subsidies and the standards of our school in spite of educated illiterates like Lumley.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 262, Printer's No. 255 on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 455, Printer's No. 261, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 721, Printer's No. 251, on Final Passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING, RECALLED FROM THE GOVERNOR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 595, Printer's No. 279, on third reading, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 648, Printer's No. 225;

Senate Bill No. 649, Printer's No. 226; and

House Bill No. 794, Printer's No. 1001.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 33, entitled:

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge now under construction and the Saw Mill Run Interchange of the Parkway-West providing for the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 33, the bill just read, be re-referred to the Committee on Appropriations.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 284, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating the State Board of Chiropody Examiners as a departmental administrative board in the Department of Public Instruction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 285, entitled:

An Act relating to the practice of chiropody conferring powers and imposing duties on the State Board of Chiropody Examiners and the Department of Public Instruction and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 382, Printer's No. 284, on second reading, go over in its order.

The PRESIDENT. Is there objection The Chair hears none.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 386, Printer's No. 1033, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that House Bill No. 436, on second reading, entitled:

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvania Gertrude Martin Rohrer as the State song of the Commonwealth.

be re-referred to the Committee on Rules.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 535, Printer's No. 285, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 539, Printer's No. 286, and Senate Bill No. 540, Printer's No. 287.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 541, entitled:

An Act amending the act of March 31 1949 (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating the General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreement with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering the General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" authorizing the sale transfer and conveyance of property or interest therein.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 574, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire by gift the Old Brown's Mill building and project in Antrim Township Franklin County and providing for its maintenance and control.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 584, Printer's No. 267, on second reading, go over in its order.

The PRESIDENT. Is there abjection? The Chairs hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 587, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire five tracts of land in the Borough of West Chester Chester County for use of West Chester State Teacher's College and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 587, the bill just read, be re-referred to the Committee on Appropriations.

Mr. VAN SANT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 590, entitled:

An Act amending the act of July 29, 1953 (Appropriation Acts 19 No. 24-A) entitled "An act making an appropriation to the Department of Mines for the sealing and dewatering of and extinguishment of fires in abandoned coal mines" authorizing the use of the funds for flushing mine voids in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that House Bill No. 590, the bill just read, be re-referred to the Committee on Appropriations.

Mr. VAN SANT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 620, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that rcords are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating speed designating a traffic court in certain political subdivisions further prescribing enforcement and penal provisions and imposing duties on certain pedestrians.

The first, second, third, fourth, fifth and sixth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MAHANY offered the following amendment:

Amend title, page 2, line 12, by striking out after the word "speed" and before the word "in" the following: "designating a traffic court".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 633, entitled:

An Act repealing the last paragraph of section 5 act of May 23, 1874 (P. L. 230) entitled "An act dividing the cities of this state into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" which requires publication each year of a statement of all delinquent taxpayers in cities of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 656, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" increasing the maximum compensation payable to councilmen in boroughs whose population is more than five thousand.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 657, Printer's No. 278, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 661, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" increasing the compensation of accessors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 672, Printer's No. 280; and

Senate Bill No. 673, Printer's No. 270.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 680, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 84.69 acres more or less of land situate in Butler Township, Adams County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 682, entitled:

An Act amending the act of June 25, 1947 (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" changing salaries of district attorneys in counties of the sixth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER TEMPORARILY

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 716, Printer's No. 297, on second reading, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 730, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" providing for the use of United States certified mail service in lieu of United States registered mail when required by the act for the purpose of giving of notice.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 731, on second reading, entitled:

An Act authorizing the use of certain mail services in lieu of registered mail when required by existing law for the purpose of serving notices or processes.

be recommitted to the Committee on Local Government.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 746, Printer's No. 275, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 773, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" prohibiting the operation of motor vehicles the mufflers of which have internal parts removed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 776, entitled:

An Act amending the act of May 16, 1921 (P. L. 579) entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employ-

ment of prisoners and the government and management of said jails or county prisons" giving wardens deputies and other appointees of the board powers of peace officers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 780, entitled:

An Act amending the act of July 2 1937 (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties or the violation thereof and for the imposition of licensee fees for permission to conduct the same" making the provisions of the act affective in municipalities and townships further regulating statements of inventories further regulating the issuance renewal denial and refusal of licenses and the conduct of sales designating certain actions as violations of the act authorizing appeals from refusal or denial to issue licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 785, entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursements to school districts.

Mr. SEYLER. Mr. President, I have amendments which I wish to offer to Senate Bill No. 785, and I also request permission to speak on the amendments.

Mr. MAHANY. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. SEYLER. Mr. President, I have been persuaded to refrain from introducting my amendments at this time, pending introduction of the same amendments on Monday.

BILL OVER IN ORDER

Mr. SEYLER. Accordingly Mr. President, I ask unanimous consent that Senate Bill No. 785, Printer's No. 296, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 834, entitled:

An Act amending the act of May 9 1949 (P. L. 927) entitled "An act fixing and regulating the fees commissions mileage and other costs chargeable by the sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local" changing fees commissions mileage and other costs chargeable by sheriffs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 954, Printer's No. 1037, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1072, entitled:

An Act approving ratifying and enacting into law the Great Lakes Basin Compact making the Commonwealth of Pennsylvania a party thereto creating "The Great Lakes Commission" providing for the members thereof from the Commonwealth of Pennsylvania providing for the carrying out of the purposes of the compact and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1104, entitled:

An Act amending the act of April 21 1949 (P. L. 665) entitled "An act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefore imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties" providing for the revision of home rule charters providing for the establishment of a charter revision commission for the purpose of making revisions and imposing duties upon city councils city officers boards of election courts and the Secretary of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1105, entitled:

An Act providing for acceptance as a donation of a building known as Patients Store and Library at the Norristown State Hospital this structure to be owned and maintained by the Commonwealth as a part of the Norristown State Hospital.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1143, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating as a departmental administrative advisory board the Coal Research Board in the Department of Mines prescribing its organization powers and duties and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that House Bill No. 1143, the bill just read, be re-referred to the Committee on Appropriations.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1332, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by regulating the salary of mine inspectors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill 1333, entitled:

An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor" by further regulating the salary of the first aid and mine rescue instructors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1338, entitled:

An Act to further amend the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of the duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by regulating the salary of electrical inspectors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1350, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in the borough.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1363, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and

convey fifteen acres of land in East Norriton Township Montgomery County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1425, entitled:

An Act amending the act of July 15 1897 (P. L. 287) entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth and to provide for the examination of persons seeking employment as miners in the anthracite region and to prevent the employment of incompetent persons as miners in anthracite coal mines and providing penalties for a violation of the same" establishing Miners Examining Boards in certain counties decreasing the number of miners on each board and changing the method of their appointment increasing the compensation of board members changing certain powers of the boards and members thereof and increasing examination fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1426, entitled:

An Act amending the act of June 2 1891 (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" increasing the compensation of members of the examining boards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1501, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey real property situate in the Borough of West Chester Chester County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1511, entitled:

An Act relating to reciprocal agreements for the interstate transportation and support of the mentally ill.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1512, entitled:

An Act authorizing cooperative return of parole and probation violators and the making of contracts or deputization of persons pursuant thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1534, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to accept a tract of land and buildings thereon erected in the Borough of California Washington County Pennsylvania containing 25,609 acres for the use of the California State Teachers' College.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1537, entitled:

An Act authorizing Department of Property and Supplies with the approval of the Governor to sell and convey 50.6 acres more or less of land situate in Cecil Township Washington County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration o House Bill No. 1538, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 90 acres more or less of land situate in North Strabane Township Washington County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1539, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 40 acres more or less of land situate in Cecil Townshil Washington County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1540, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 64 acres more or less of land situate in Cecil Township Washington County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1541, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 117 acres more or less of land situate in Cecil Township Washington County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1548, entitled:

An Act amending the act of May 31, 1923 (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualifications as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbiding the employment of unqualified persons as mine foremen, assistant mine foremen, and fire bosses; providing a penalty for forging or making false statements regarding certificates," increasing compensation of board members and of the committee of six.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1549, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the per diem compensation and mileage rate of the members and secretary of the Anthracite Mine Inspectors'.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1550, entitled:

An Act amending the act of April 29 1937 (P. L. 551) entitled "An act prohibiting the employment of miners as herein defined in the bituminous coal mines unless certificated by a miners' examining board providing for the appointment of such boards and defining their powers and duties providing penalties and making an appropriation" increasing per diem compensation of members of miners' examining boards.

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1551, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for an reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the per diem compensation and mileage rate of members and secretary of the Bituminous Mine Inspectors' Examining Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1555, entitled:

An Act to amend an act approved the twenty-second day of August one thousand nine hundred fifty-three (Appropriation Acts page 54) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three" by changing the amount appropriated to the Department of Public Instruction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1572, entitled:

An Act relating to coal mining, well operations and the underground storage of gas and the safety of personnel and facilities employed therein; prescribing the rights and duties of well operators, before, during, and after the drilling of wells for the production, extraction or storage of any gas, petroleum or other liquid; regulating the underground storage of gas under workable coal seams; prescribing the rights and duties of owners and operators of coal mines in relation to wells and underground storage areas; granting certain corporations a limited right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas; creating the Oil and Gas Division of the Department of Mines and defining its personel powers and duties; providing for hearings and the procedures to be followed therein and imposing duties upon the courts and providing methods for the enforcement of the provisions of this act and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1628, entitled:

An Act making an appropriation to the Department of Public Instruction for payments to school districts on account of rentals payable to municipal authorities and nonprofit corporations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1630, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehilcles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and clerks thereof owners of vehicles and garage keepers providing that records are admissable as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating registration of antique motor vehicles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1676, entitled:

An Act authorizing townships of the first class in certain cases to convey to a volunteer fire company or association the township's interests in real property upon approval of the court of common pleas of the county.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 716 CALLED UP

Mr. SEYLER. Mr. President, I call up from today's Second Reading Calendar, Senate Bill No. 716, Printer's No. 297, which went over in its order temporarily, for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 716, entitled:

An Act amending the act of May 29 1931 (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

URGING THE GENERAL STATE AUTHORITY TO ACQUIRE PROPERTY IN CENTRAL PENNSYLVANIA FOR A SCHOOL FOR MENTAL DEFECTIVES

Mr. MALLERY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. MALLERY, RUTH, DERK, DIEHM and STEVENSON offered the following resolution, which was twice read and referred to the Committee on State Government:

In the Senate, October 7, 1955.

Polk State School in western Pennsylvania and Pennhurst State School in eastern Pennsylvania are devoted exclusively to the care of mental defectives. The facilities of both schools are overtaxed. There is a crying need for an additional school centrally located; therefore be it

Resolved (the House of Representatives concurring), That the General State Authority be urged to acquire property in central Pennsylvania, with the approval of the Governor and the Department of Welfare, and to erect thereon the buildings and equipment required for a State school for mental defectives, to be leased to the Commonwealth and operated by the Department of Welfare according to law.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, October 10, 1955, at 2:30 o'clock, p.m., Eastern Standard Time.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:19 o'clock, a. m., Eastern Standard Time, until Monday, October 10, 1955, at 2:30 o'clock, p. m., Eastern Standard Time.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., MONDAY, OCTOBER 10, 1955. No. 98.

SENATE

MONDAY, OCTOBER 10, 1955.

The Senate met at 2:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. PAUL S. MONTGOMERY, D.D., Pastor of United Church of Aspinwall, Presbyterian, offered the following prayer:

Let us unite in prayer.

O God of wisdom, truth and beauty, Whose handiwork is viewed in all the changing world of nature around us, we pause at the threshold of another week of work to invoke Thy divine blessing.

Grant, we pray Thee, to all these men here assembled, and to all others in positions of authority and responsibility, the wisdom to know and the courage to do Thy will. Fill them with the love of truth and of righteousness and make them ever mindful of their high calling, to serve all Thy children in the best interest of the common good. May Thy saving health and grace be amongst them in all their labors.

We ask these petitions in the Name of Him Who went about doing good, even Jesus Christ, our Lord, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. PECHAN, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of County Boards of Assistance:

CUMBERLAND COUNTY

Arthur R. Burkhart (Republican), Shippensburg, from January 1, 1955, until December 31, 1957, and until his successor is duly appointed and qualified.

JUNIATA COUNTY

Reverend Elmer James Davis (Republican), Mifflin town, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Mrs. Helen Guss Lauver, Mifflintown, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Albert G. Diehl, Sr., Box 222, Penn, Westmoreland County, for appointment as Justice of the Peace in and for the Township of Hempfield, Westmoreland County, until the first Monday of January 1956, vice John H. Silvis, deceased.

GEORGE M. LEADER.

MEMBER OF THE CARBON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. Joseph Engler, Esq. (Dem.) 307 Center Street, Jim Thorpe, Carbon County, for reappointment as a member of the Carbon County Board of Assistance, to serve until December 31, 1957, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sara R. Sattler, 375 Semple Street, Pittsburgh 13, Alle-

gheny County, for appointment as a member of the Board of Trustees of Polk State School, for the term of four years and until her successor is appointed and qualified, vice John L. Gibson, Monessen, deceased.

GEORGE M. LEADER.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 267, PRINTER'S No. 125

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 7, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 267, Printer's No. 125, entitled: An Act amending the act of June 24, 1939 (P. L. 746) entitled 'An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee' further outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL No. 277, PRINTER'S No. 69

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 7, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 277, Printer's No. 69, entitled "An Act amending the act of June 24, 1937 (P. L. 2017) entitled 'An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws' further providing for the administration of the fiscal affairs of the county institution districts in counties of the third to eighth classes regulating the making of contracts and purchases authorizing such districts to take by gift grant devise or bequest money and property and conferring powers and imposing duties on county commissioners county treasurers county controllers and county auditors."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL No. 456, PRINTER'S No. 198

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 7, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 456, Printer's No. 198, entitled "An Act amending the act of May 2, 1945 (P. L. 382) entitled 'An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates' conferring exclusive jurisdiction on certain courts over service."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL No. 459, PRINTER'S No. 144

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 7, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 459, Printer's No. 144, entitled "An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended 'An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' clarifying the provisions of the act as to the aggregate amount of taxes any political subdivision may levy during a fiscal year and extending certain temporary provisions relative thereto providing for the publication of notices concerning certain tax ordinances and resolutions and permitting the imposition of taxes free from certain restrictions prescribed by existing laws."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 603 FROM THE GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 7, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 603, Printer's No. 220, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE M. LEADER.

The PRESIDENT. The bill will be laid on the table.

COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, from the Committee on Executive Nominations, I report at this time a communication from His Excellency, the Governor of the Commonwealth of Pennsylvania, recalling the nomination of John K. Manock as a Member of the Board of Trustees of Hollidaysburg State Hospital.

The Clerk read the communication as follows:

RECALLING THE NOMINATION OF JOHN K. MANOCK AS A MEMBER OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 5, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 26, 1955, for the appointment of John K. Manock, Bedford, Bedford County, as a member of the Board of Trustees of Hollidaysburg State Hospital, for the term of four years and until his successor is appointed and qualified, vice Maurice F. Clouse, Waterside, removed from office.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER

NOMINATION BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. WATSON. Mr. President, I further report from the Committee on Executive Nominations, the nomination of John K. Manock, and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

MEMBER OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a member of the Board of Trustees of Hollidaysburg State Hospital, for the term of four years and until his successor is appointed and qualified:

John K. Manock, Bedford, Bedford County, vice Maurice F. Clouse, Waterside, removed from office.

GEORGE M. LEADER

NOMINATION RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, also reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 18, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Laurelton State Village, for the term of four years and until their successors are appointed and qualified:

Park L. Hoffman, West Milton, Union County, vice Kenneth A. Bidlack, Esq., Mifflinburg, resigned.

Mrs. Marie S. Purnell, Mifflinburg, Union County, vice Mrs. Charlotte L. Smith, Winfiel, resigned.

R. Spangler Mattern, Beavertown, Snyder County, vice Ralph Witmer, Selinsgrove, resigned.

Dr. Robert C. Prall, 471 Lynbrook Road, Springfield, Delaware County, vice Roy D. Wittes, New Berlin, resigned.

Russell S. Machmer, Esq., 188 King Street, Northumberland, Northumberland County, vice Dr. Robert E. Allen, Mount Carmel, resigned.

Dr. Duane Ramsey, Pennsylvania State University, University Park, Centre County, vice Ira J. Smith, Beaver Springs, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Allentown State Hospital, for the term of four years and until their successors are appointed and qualified:

Maxwell A. Coleman, 2051 West Livingston Street, Allentown, Lehigh County, vice Hon. Henry G. Sweney, Chester, resigned.

Wilfred Fritchman, 524 North Lafayette Street, Allentown, Lehigh County, vice Howard M. Singmaster, Macungie, whose term expired.

GEORGE M. LEADER

MEMBERS OF ADVISORY HOSPITAL COUNCIL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 2, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Advisory Hospital Council:

Hon. Berwyn F. Mattison, Camp Hill, Cumberland County, to serve until November 18, 1955, and until his successor shall have been appointed and qualified, vice Hon. Norris W. Vaux, Glenmoore, whose term expired.

George E. Hamilton, 700 Chestnut Street, Meadville, Crawford County, to serve until November 18, 1956, and until his successor shall have been appointed and qualified, vice Miss Esther J. Tinsley, Pittston, whose term expired.

Mark M. Walter, 63 Red Fox Road, Strafford, Wayne, Delaware County, to serve until November 18, 1957, and until his successor shall have been appointed and qualified, vice Dr. Howard K. Petry, Harrisburg, whose term expired.

J. Frank McKenna, Jr., Esq., 931 Heberton Street, Pittsburgh, Allegeheny County, to serve until November 18, 1957, and until his successor shall have been appointed and qualified, vice William B. McFall, Pittsburgh, whose term expired.

C. Jared Ingersoll, 1718 Locust Streer, Philadelphia, Philadelphia County, to serve until November 18, 1958, and until his successor shall have been appointed and qualified, vice Ralph Kelly, Philadelphia, whose term expired.

Donald C. Smelzer, M. D., Lancaster, Lancaster County, from January 3, 1955, until November 18, 1958, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE McKEAN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 13, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Harriette W. Maurey (Dem.), P. O. Box 300, Bradford, McKean County, for appointment as a member of the McKean County Board of Assistance, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Walter R. Peoria, Bradford, resigned.

GEORGE M. LEADER.

REPORT FROM COMMITTEE

Mr. WATKINS, from the Committee on Law ond Order, reported as committed Senate Bill No. 735, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcholol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein: defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores; for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," permitting licensed importers to import, purchase, sell and store liquor and alcohol in the Commonwealth.

BILL RE-REFERRED

Mr. WOLFE, from the Committee on Military Affairs and Aeronautics, returned to the Senate, House Bill No. 1692, entitled:

An Act directing the Legislative Reference Bureau to compile and publish a revised compilation of laws relating to war veterans, and making an appropriation.

Which was re-referred to the Committee on Appropriations.

BILLS INTRODUCED AND REFERRED

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 796, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," providing for certification of physically handicapped persons as teachers.

Which was committed to the Committee on Education.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 797, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," requiring entrance of bond in appeals from board of adjustment rulings affecting zoning regulations.

Which was committed to the Committee on Local Government.

Mr. WEINER read in his place and presented to the Chair Senate Bill No. 798, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled, as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," further defining taxable receipts, and making such definition applicable to all tax returns and tax payments made after the effective date hereof.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President and Members of the Senate, there seems to be a tendency growing in Pennsylvania for some of the large chain stores to stay open on Sunday. This situation has now arrived at the point where some of the large chain stores, like the A & P Stores and Kroger's, have advised their clerks that this is going to be permitted to exist.

It will not be long before we have a complete commercial Sunday, and all the large chain stores throughout the State will have to remain open.

With this in view, Mr. President, I am offering a bill which forbids the sale of food on Sunday, Although it does not affect the small corner grocery store which only maintains one, two or three employees and which is owned by an individual. This bill only applies to stores which have a defined number of employees.

BILLS INTRODUCED AND REFERRED

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 799, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting offering for sale and selling food at retail on Sunday.

Which was committed to the Committee on Judiciary General.

Messrs. LANE, HALUSKA and SEYLER read in place and presented to the Chair Senate Bill No. 800, entitled:

An Act amending the act of June 24, 1937 (P. L. 2045), entitled, as amended "An act relating to the support of indigent persons; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of certain persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure, relieving children of public assistance recipients when property is encumbered; and providing for redemption of such property and its discharge from general debts.

Which was committed to the Committee on Public Health and Welfare.

They also read in place and presented to the Chair Senate Bill No. 801, entitled:

An Act amending the act of June 24, 1937 (P. L. 2045) entitled a samended "An act relating to the support of indigent persons; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of certain persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," limiting liability of children of public assistance recipients.

Which was committed to the Committee on Public Health and Welfare.

Messrs. BARR and KOPRIVER, JR. read in place and presented to the Chair Senate Bill No. 802, entitled:

An Act to provide for an additional law judge of the orphans' court in the fifth judicial district.

Which was committed to the Committee on State Government.

Mr. FLACK read in his place and presented to the Chair Senate Bill No. 803, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments.

Which was committed to the Committee on Local Government.

PERSONAL PRIVILEGE

Mr. WEINER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia, Mr. Weiner, will state his question of personal privilege.

Mr. WEINER. Mr. President, I ask unanimous consent that the name of Senator John C. Miller be stricken from Senate Bill No. 788, which was introduced here last week. His name was inadvertently placed on the bill and I ask the Chairman of the Committee on Law and Order, to which committee the bill was sent, to strike Senator Miller's name from that bill.

The PRESIDENT. There being no objection, the Chairman of the Committee on Law and Order will strike the name of Senator Miller from Senate Bill No. 788.

SENATE RESOLUTION, SERIAL NO. 56, TAKEN FROM TABLE

Mr. STIEFEL. Mr. President, I am calling up from the table Senate Resolution, Serial No. 56, which has been favorably reported from the Committee on Forests and Waters, Game and Fish. There was some objection about the propriety of taking original, old bills—and I mention that the bills date back to 1822—and transferring them to the Historical and Museum Commission. There was some question as to whether the original bills, although nobody refers to them today, should be transferred from the jurisdiction of the Senate.

We checked with the practice of the Federal authorities in Washington and we found that the Federal Government, Congress, transferred their old bills to the archives .This is exactly what we want to do here. I feel that it is our duty to contribute to the further progress of the preservation of Pennsylvania's glorious heritage by transferring these old bills, which are now gathering dust somewhere in a corner of this Capitol, to the archives of the Pennsylvania Historical and Museum Commission.

Mr. President, I plead with you to support this measure which has been favorably acted upon by Senator Blass' committee.

The Clerk read the resolution as follows:

REQUESTING THE TRANSFER OF CERTAIN SENATE RECORD TO THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

In the Senate, August 2, 1955.

In Room 528, E Floor of the Capitol, which is known as the Senate Transcribing Room, there are many old records of the Senate, beginning with the year 1822. These records are no doubt the oldest surviving records of the Senate and include much historical data, such as State and county election returns, beginning with the year 1840 and ending around 1900, petitions addressed to the Senate, and Senate bills in their original form as introduced.

Space in the Transcribing Room is sorely needed. The old historical records, some of which are undoubtedly pricelesss as part of Pennsylvania's cultural heritage, are impeding current Senate operations. The scarcity of space has necessitated storing these old records in such a manner that it is impossible to make a careful study to determine their true historical value.

These old historical records of the Senate are of no present value to the Senate. It therefore seems wise and proper that the records between the years 1822 and 1910 be transferred to and put under the custody of the commission which retains historical data that inures to the cultural benefit of the citizenry of the Commonwealth of Pennsylvania; therefore be it

Resolved, That the Senate of Pennsylvania permanently transfer all historical Senate records between the years 1822 to 1910 which are stored in the Senate Transcribing Room to the custody of the Division of Public Records within the Pennsylvania Historical and Museum Commission.

SENATE RESOLUTION, SERIAL NO. 56, ADOPTED

Mr. STIEFEL. Mr. President, I move that the resolution just read be adopted.

Mr. MAHANY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at todays Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WADE,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 18, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Laurelton State Village, for the term of four years and until their successors are appointed and qualified:

Park L. Hoffman, West Milton, Union County, vice Kenneth A. Bidlack, Esq., Mifflinburg, resigned.

Mrs. Marie S. Purnell, Mifflinburg, Union County, vice Mrs. Charlotte L. Smith, Winfield, resigned.

R. Spangler Mattern, Beavertown, Snyder County, vice Ralph Witmer, Selinsgrove, resigned.

Dr. Robert C. Prall, 471 Lynbrooke Road, Springfield, Delaware County, vice Roy D. Wittes, New Berlin, resigned.

Russell S. Machamer, Esq., 188 King Street, Northumberland, Northumberland County, vice Dr. Robert E. Allen, Mount Carmel, resigned.

Dr. Duane Ramsey, Pennsylvania State University, University Park, Centre County, vice Ira J. Smith, Beaver Springs, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Allentown State Hospital, for the term of four years and until their successors are appointed and qualified:

Maxwell A. Coleman, 2051 West Livingston Street, Allentown, Lehigh County, vice Hon. Henry G. Sweney, Chester, resigned.

Wilfred Fritchman, 524 North Lafayette Street, Allentown, Lehigh County, vice Howard M. Singmaster, Macungie, whose term expired.

GEORGE M. LEADER.

MEMBERS OF ADVISORY HOSPITAL COUNCIL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 2, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Advisory Hospital Council:

Hon. Berwyn F. Matison, Camp Hill, Cumberland County, to serve until November 18, 1955, and until his successor shall have been appointed and qualified, vice Hon. Norris W. Vaux, Glenmoore, whose term expired.

George E. Hamilton, 700 Chestnut Street, Meadville, Crawford County, to serve until November 18, 1956, and until his successor shall have been appointed and qualified, vice Miss Esther J. Tinsley, Pittston, whose term expired.

Mark M. Walter, 63 Red Fox Road, Strafford, Wayne, Delaware County, to serve until November 18, 1957, and until his successor shall have been appointed and qualified, vice Dr. Howard K. Petry, Harrisburg, whose term expired.

J. Frank McKenna, Jr., Esq., 931 Heberton Street, Pittsburgh, Allegheny County, to serve until November 18, 1957, and until his successor shall have been appointed and qualified, vice William B. McFall, Pittsburgh, whose term expired.

C. Jared Ingersoll, 1718 Locust Street, Philadelphia, Philadelphia County, to serve until November 18, 1958, and until his successor shall have been appointed and qualified, vice Ralph Kelly, Philadelphia, whose term expired.

Donald C. Smelzer, M. D., Lancaster, Lancaster County, from January 3, 1955, until November 18, 1958, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE McKEAN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 13, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Harriette W. Maurey (Dem.), P. O. Box 300, Bradford, McKean County, for appointment as a member of the McKean County Board of Assistance, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Walter R. Peoria, Bradford, resigned.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. WADE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for five minutes, for the purpose of holding a meeting of the Committee on Appropriations.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, re-reported as committed Senate Bill No. 33, entitled:

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge now under construction and the Saw Mill Run Interchange of the Parkway-West providing for the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 262, as follows:

An Act amending the act of May 26 1949 (P L 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" authorizing fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank and Reconstruction and Development

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 act of May 26 1949 (P L 1828) known as the "Fiduciaries Investment Act of 1949" is amended by adding at the end thereof a new clause to read

Section 3 Government Obligations Obligations of the following governmental bodies shall be authorized investments

(1) United States Obligations of the United States or the United States Treasury or those for the payment of which the faith and credit of the United States is pledged including obligations of the District of Columbia

(2) Pennsylvania Obligations of the Commonwealth of Pennsylvania or those for the payment of which the faith and credit of the Commonwealth is pledged

(3) State and Local Government Obligations of any commonwealth or state of the United States or any county city borouh town township school district institution district or other political subdivision having the power to levy taxes of any such commonwealth or state Provided That the faith and credit of such commonwealth state or political subdivision thereof is pledged for the payment of said obligations And provided further That at the date of the investment in such obligations such commonwealth state or political subdivision is not in default in the payment of any part of the principal or interest owing by it upon any part of its funded indebtedness

(4) International Bank for Reconstruction and Development Bonds notes or other obligations issued asumed or guaranteed by the International Bank for Reconstruction and Development which contain an unconditional promise to pay by the International Bank for reconstruction and development or an unconditional guaratee by the International Bank for the reconstruction and development of the payment of the interest thereon regularly and the principal thereof on or before a specified date in lawful currency of the United States not more than two per cent of the funds in the custody or under the control of the fiduciary at the time of making the investment shall be invested in such bonds notes or obligations the principal office of the obligor shall be located within the United States

Section 2 This act shall take effect immediately

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 262

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 262.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The years and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 455, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," eliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by one Authority from another Authority.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 455

Mr. MAHANY. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 455.

Mr. HALUSKA. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

REQUEST THAT BILL GO OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 721, Printer's No. 251, on final passage, go over in its order.

The PRESIDENT. Is there objection?

Mr. PECHAN. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

REQUEST THAT BILL GO OVER IN ORDER WITHDRAWN

Mr. LANE. Mr. President, I withdraw my request that Senate Bill No. 721, Printer's No. 251, go over in its order.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 721, as follows:

An Act authorizing and directing the Department of Highways to accept a bridge across Redbank Creek and the approaches thereto connecting the State highway system in Armstrong County with the State highway system in Clarion County.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows.

Section 1 The Department of Highways with the approval of the Governor is hereby authorized and directed to accept on behalf of the Commonwealth the bridge across Redbank Creek and its approaches connecting the State highway system in Armstrong County with the State highway system in Clarion County described as follows

Beginning at the terminus of Pennsylvania Legislative Route No. 03140 on the south bank of Redbank Creek in Mahoning Township Armstrong County at the south end of a one lane bridge crossing said creek thence crossing said creek north 24 degrees 30 minutes east 254.88 feet to the terminus of Pennsylvania Legislative Route No. 16100 on the north bank of Redbank Creek in Porter Township Clarion County and at the north end of the one lane bridge aforementioned.

Section 2 After acquisition of the bridge and the approaches thereto they shall be reconstructed and maintained by the Department of Highways in accordance with present or future laws governing the reconstruction and maintenance of State highways.

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I rise in opposition to this piece of legislation. I have been in contact with the Highway Department and they feel that there is an unjustified expediture involved. I am also advised that the proper procedure in this particular case, with regard to this particular bridge, is that the joint counties involved should have their solicitors petition the grand jury for the purpose of abandonment. That would take care of the situation.

I do not feel that this is a State responsibility. If this were a State responsibility, I would say that it would be the responsibility of the Highway Department to maintain the bridge which we have between Donora and Webster, over the Monongahela River, which costs the counties of Washington and Westmoreland approximately $95,000 every four years for maintenance. Therefore, I do not feel that the Commonwealth should take this responsibility, and if so, I would request that they also take over the Donora-Webster Bridge.

Mr. PECHAN. Mr. President, if I may, I would like to read a letter relative to the responsibility which I had with respect to the introduction of this bill. I think that the reading of this letter will clarify some of the points which have been brought out. This letter came from the legal counsel for the Climax Fire Brick Company, and reads as follows:

"Dear Senator:

"I am enclosing herewith a draft of Pennsylvania Legislative Route 03140 in Mahoning Township, Armstrong County, Pennsylvania, which leads to a privately owned bridge across Redbank Creek, which divides Armstrong and Clarion Counties at that point. The blue print also shows Pennsylvania Legislative Route No. 16100, leading from the northern end of the private bridge to Pennsylvania Legislative Route No. 16100, which has a bituminous surface.

"This bridge at one time was used by the employees and officials of the Climax Fire Brick Company at Climax, Mahoning Township, Armstrong County, Pennsylvania. At that time the plant was located on both the south and north sides of Redbank Creek. That portion in Clarion County was in Porter Township. There is no longer any part of the plant on the Armstrong County side, excepting the offices of the Climax Fire Brick Company. The entire plant necessary for the production of its product is situated in Porter Township, Clarion County, Pennsylvania.

"Not having use for the bridge any more, we have barricaded the bridge on numerous occasions, particularly when it was in need of repairs. The traveling public tore down every barricade erected, and a number of times it was necessary to call the Sheriff of Armstrong County, and also the Pennsylvania State Police, in an attempt to keep the barricades in place. Various persons unknown to us tore down the barricades each time we put them in place, until just recently, when we found it necessary because of the condition of the bridge to make a more permanent type of barricade which is in place at the present time.

"Prior to this, the two legislative routes designated on the map, and the private bridge, were used by the traveling public. In fact, dozens of vehicles and persons used the routes and the bridge daily. At the present time, there are petitions being circulated among the citizens in that area, requesting that this bridge be opened again for the convenience of the public. We cannot repair, keep up and maintain the bridge.

"Therefore, since it is a public necessity, we are enlisting your good graces to have a bill introduced, giving legislative authority to the Pennsylvania Department of Highways to take over this bridge. The Climax Fire

Brick Company will quit claim or deed, or execute whatever papers are necessary for the Commonwealth of Pennsylvania, Department of Highways, to take over this bridge. The Climax Fire Brick Company constructed this bridge many years ago and that corporation is the owner of it.

"To assist you in the matter, we are enclosing herewith the draft and a description as prepared by Robert B. Shannon and Associates, Registered Engineers, Kittanning, Armstrong County, Pennsylvania.

"Appreciating your cooperation, I am

"Very truly yours,

/s/ "W. A. Ashe
"Attorney for Climax Fire Brick Company."

Mr. President, I do not know the history of the two State roads that this privately owned bridge connects. I do not know when they were built, but the only way that these two State roads can be brought together, so that you can cross this creek, would be by the means of a bridge. Since it is a State road, we believe that it is a public function.

I have here in my possession the signature of some 500 residents in that immediate area who have petitioned that something be done, because it is an inconvenience to them. I do not believe that it is the responsibility of this private firm to maintain this bridge. They have no further use for it; they are willing to quit claim any property rights which they may have in that area and I, therefore, urge my colleagues to vote for this bill.

Mr. LANE. Mr. President, I would like to put into the record a communication which I received from the Secretary of Highways of the Commonwealth of Pennsylvania, the Honorable Joseph J. Lawler, in which he says:

"Please be advised that the Department of Highways disapproves of the enactment of Senate Bill No. 721, Printer's No. 251, authorizing and directing the Department of Highways to accept a bridge across Redbank Creek and Approaches thereto connecting the State highway system in Armstrong County with the State highways system in Clarion County.

"This bridge is a privately owned bridge of only one lane and in a very bad state of repair. Accepting this bridge as part of the State highway system would necessitate the replacement of same by a new bridge.

"We are of the opinion that in view of the very light traffic over this route and the nature and condition of this bridge, it would not be in the best interests of the Commonwealth to accept it."

Mr. President, I can appreciate the problem that Senator Pechan and his constituents have up there. However, I would say to you that it seems to me this is the responsibility of the joint counties involved in this particular case, and they would be Armstrong County and Clarion County. After all, I, too, would like to see a new bridge in my county, as I previously stated. We, in Washington County, need a new bridge from West Brownsville over to Brownsville because of the traffic on Route U. S. 40. However, we do not have one. Since this is a one-lane affair and since it was privately owned and never owned by the Commonwealth of Pennsylvania, I say it is the responsibility of county government and not the responsibility of the Pennsylvania Department of Highways.

Mr. McGINNIS. Mr. President, I hesitate to differ with the Secretary of Highways, but I worked for this company for three years, as Secretary. They make the finest fire brick of any company in Pennsylvania. They have fifteen gas wells on the property. They employ four or five hundred people. We had a man in our county who was a councilman, George Evans, who always told me that if a company goes into a district and builds a plant and employs 500 people, 750 or 800 more people will make a living in addition to those 500 who go in there to work.

This company went in there and built this plant. They sell their fire bricks to all the big plants in Pennsylvania and other States. They built this bridge and it did not cost anyone a cent. This bridge lies between two counties, which is always more or less a troublesome question, and inasmuch as they are big taxpayers and big producers, I do not think it would burden the State too much to build this little bridge.

Mr. PECHAN. Mr. President, I would just like to say to Senator Lane that if he has a comparable situation where two State highways can be joined together over a small stream such as this, if he introduces an appropriate bill, I will be very happy to be one on this side of the aisle to go along with him. In fact, Mr. President, all of us on this side of the Senate will go along with Senator Lane on his bill.

Mr. LANE. Mr. President, I do not have a comparable situation. The bridge I mentioned goes over the Monongahela River, which carries the greatest coal tonnage of any river, I believe, in the United States. However, in looking over Senator Pechan's bill, and after going into conference with Senator Barr, I believe, too, that this legislation is not written properly, and I believe the title does not compare with the contents of the bill. I, therefore, do not think we could pass it in its present form anyway. In looking over the title of the bill, it authorizes and directs the Department of Highways to accept a bridge across Redbank Creek and the approaches thereto. If I understand Senator Pechan correctly, he said that there is no bridge there to amount to anything, because they have barricades up and it is very dangerous for the public to even approach it.

Then, in Section 2: "After acquisition of the bridge and the approaches thereto they shall be reconstructed and maintained by the Department of Highways in accordance with present or future laws governing the reconstruction and maintenance of State Highways."

Therefore, Mr. President, I do not think it is in order, and Senator Barr agrees with me.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. FLEMING. Mr. President, I am not sure if I am recorded as voting. I wish to be recorded as voting "aye."

The PRESIDENT. The gentleman from Allegheny will be so recorded.

Mr. MAHANY. Mr. President, how did the gentleman from Clinton, Mr. Stevenson, vote?

The PRESIDENT. He is recorded as voting "aye."

Mr. MAHANY. Mr. President, how did the gentleman from Blair, Mr. Mallery, vote?

The PRESIDENT. He is recorded as voting "aye."

Mr. MAHANY. Mr. President, how did the gentleman from Westmoreland, Mr. Dent, vote?

Mr. DENT. Mr. President, I was in the Senate Chamber, and I voted "no" in a clear, loud voice.

Mr. MAHANY. Mr. President, I yield to Senator Kopriver.

Mr. KOPRIVER, JR. Mr. President, I yield to Senator McPherson.

Mr. McPHERSON, JR. Mr. President, not having heard my name called, I wish to be recorded as voting "aye."

The PRESIDENT. The gentleman from Adams will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Kessler,	Miller,	Van Sant,
Blass,	Kopriver, Jr.,	Pechan,	Wade,
Chapman,	Madigan,	Peelor,	Watkins,
Diehm,	Mahany,	Propert,	Watson,
Flack,	Mallery,	Scott,	Whalley,
Fleming,	McGinnis,	Stevenson,	Wolfe,
Harney,	McPherson, Jr.,	Taylor,	

NAYS—13

Barr,	Haluska,	Lane,	Silvert,
Camiel,	Hays,	Schmidt,	Stiefel,
Dent,	Holland,	Seyler,	Weiner.
Donolow,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 595, as follows:

An Act amending the act of March 7 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing cities to regulate or prohibit the construction building or maintenance of certain fences made in whole or in part of wire with barbs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of Article XIX act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" is amended by adding at the end thereof a new clause to read.

Section 3 Every city of the second class in its corporate capacity is authorized and empowered to enact ordinances for the following purposes in addition to the other powers granted by this act

* * *

XLIV To regulate or prohibit the construction building or maintenance within the city of any fences made in whole or in part of wire with barbs

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Dent,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 284, as follows:

An Act amending the act of April 9 1929 (P L 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain department boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating the State Board of Chiropody Examiners as a departmental administrative board in the Department of Public Instruction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 So much as relates to the Department of Public Instruction of section 202 act of April 9 1929 (P L 177) known as "The Administrative Code of 1929" amended May 22 1951 (P L 323) May 24 1951 (P L 353) July 19 1951 (P L 1144) and August 17 1951 (P L 1245) is amended to read

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * *

In the Department of Public Instruction

State Council of Education

State Real Estate Commission

Pennsylvania State Board of Censors

Public School Employes' Retirement Board

Board of Trustees of Thaddeus Stevens Trade School

Board of Trustees of Pennsylvania State Oral School for the Deaf

Board of Trustees of Scotland School for Veterans' Children

Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teacheres' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney State Teachers' College
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeon's Examining Board
State Board of Nurse Examiners
State Board of Barber Examiners
State Board of Cosmetology
State Board of Veterinary Medical Examiners
State Board of Chiropractic Examiners
State Board of Chiropody Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
State Registration Board for Professional Engineers
Public Service Institute Board
State Board of Private Academic Schools
State Board of Private Business Schools
State Board of Private Trade Schools
State Board of Private Correspondence Schools

* * *

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Article IV of the act is amended by adding after section 461 a new section to read

Section 462 State Board of Chiropody Examiners A State Board of Chiropody Examiners is hereby created and shall consist of the Superintendent of Public Instruction and five members appointed by the Governor all of whom shall be chiropodists who possess the requisite qualifications to practice chiropody under the laws of this Commonwealth and who have been practicing chiropody in this Commonwealth for five years immediately preceding their appointment The terms of members of the board shall be four years from the respective dates of their appointment No member of the board shall be a member of the faculty of any school or college teaching chiropody Three members of the board shall constitute a quorum and the board shall select from its membership a chairman and secretary The members of the board other than the Superintendent of Public Instruction shall receive fifteen dollars ($15) per diem for each day devoted to the work of the board

Section 3 Section 1310 of the act amended May 22 1951 (P L 323) and July 19 1951 (P L 1144) is amended to read

Section 1310 Professional Examining Boards The professional examining boards within the Department of Public Instruction shall respectively exercise the rights and powers and perform the duties by law vested in and imposed upon them Provided however That all certificates and official documents of such examining boards shall be issued by the Department of Public Instruction but may be signed by the members of the appropriate board or any of them as determined by such board

Subject to the preceding provisions of this section and to any other inconsistent provisions in this act contained

The State Board of Medical Examination and Licensure shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Bureau of Medical Examination and Licensure in the Department of Public Instruction

The State Board of Pharmacy shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Dental Council and Examining Board shall conitnue to exercise the powers and perform the duties by law vested in and imposed upon the said board the State Dental Council and the Board of Dental Examiners for the Commonwealth of Pennsylvania

The State Board of Optometrical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Board of Optometrical Education Examination and Licensure

The State Board of Osteopathic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the State Board of Osteopathic Examiners of Pennsylvania

The Osteopathic Surgeons' Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Nurse Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the State Board of Examiners for Registration of Nurses

The State Board of Barber Examiners shall exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Cosmetology shall exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Veterinary Medical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examination of Public Accountants shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners of Architects shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Registration Board for Professional Engineers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Chiropractic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Chiropody Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Dent,	Kopriver, Jr.	Peelor,	Wagner,
Derk,	Lane,	Propert,	Watkins,
Diehm,	Madigan,	Ruth,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,

NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 285, as follows:

An Act relating to the practice of chiropody conferring powers and imposing duties on the State Board of Chiropody Examiners and the Department of Public Instruction and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Chiropody or Podiatry as used in this act means the diagnosis of foot ailments and the practice of minor surgery upon the feet the padding dressing and strapping of the feet the making of models of the feet and palliative and mechanical treatment of functional disturbances of feet not including the amputation of the leg foot or toes or the treatment of systemic diseases of the bones ligaments or muscles of the feet or any part of the body

Section 2 Except as hereinafter provided any person not heretofore authorized to practice chiropody in this Commonwealth desiring to be entitled to so practice shall file with the State Board of Chiropody Examiners a written application for examination accompanied by a fee of twenty-five dollars ($25) and two unmounted finished photographs one of which shall be verified by the dean of the School of Chiropody which he attended and by satisfactory proof that the applicant is twenty-one years of age a citizen of the United States of America of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and has obtained preliminary instruction equivalent to four years high school and pre-professional education of at least one year in a recognized college of liberal arts or of the sciences the fact that the instruction has been received by the applicant shall be evidenced by a certificate satisfactory to the Department of Public Instruction The applicant before presentation for examination must be a graduate of a School of Chiropody approved by the State Board of Chiropody Examiners The State Board of Chiropdy Examiners shall send to every qualified person an admission card and one of his photographs marked with an assigned number for admission to examination

Section 3 The State Board of Chiropody Examiners shall hold annual examinations at a time and place as it shall specify The subjects for examination shall be those taught in a recognized School of Chiropody and shall be determinated by the State Board of Chiropody Examiners All examinations shall be given in the English language and shall be written in pen and ink to be supplied by the candidates No candidate shall indicate his name or the school where he obtained his education or his examination papers but shall identify his papers by the number assigned him on his photograph No candidate shall be admitted for examination without his marked photograph and admission card

Section 4 Every applicant who obtains an average of not less than fifty-fife per centum at any one session and a general average of seventy-five per centum or more of a maximum of one hundred in the examination shall be considered to have successfully passed the required examination In case of failure at any examination the candidate after the expiration of six months and within two years mays take a second examination without further application or the payment of an additional fee

Section 5 The State Board of Chiropody Examiners shall issue a certificate of registration to practice chiropody to those successfully passing the required examination All original registrations shall expire on the first day of January next succeeding the issue thereof and thereafter each person so registered shall be required to register annually before the first day of January of each suceeding year The form and method of such registration shall be provided for by the State Board of Chiropody Examiners in a manner enabling it to carry into effect the purposes of this act Each person who registers shall pay for each annual registration and for the certificate provided a fee of five dollars ($5) or the amount the Department of Public Instruction may determine The money received and the examination fees required by this act shall be paid into the State Treasury for the use of the Commonwealth

Section 6 Upon recommendation by the State Board of Chiropody Examiners any person may be exempt from examination if he holds a license or certificate to practice chiripody issued by any other state or territory of the United States which has requirements for licensure eqivalent to those of this Commonwealth and which extends similar privileges to persons licensed under the laws of this Commonwealth Application for license in these cases shall be made on forms supplied by the State Board of Chiropody Examiners and shall be under oath The fee therefore shall be one hundred dollars ($100)

Section 7 No person who is not a duly licensed and registered chiropodist shall practice chiropody or by any means or in any written or printed circular or in any business card letterhead or sign or otherwise assume the title "Chiropodist" "Podiatrist" "DSC" "G cp" "M cp" "Ped G" "Foot Specialist" "Foot Correctionist" "Pedopractor" nor any other title name or description implying or calculated to lead to the belief that he is qualified to practice chiropody Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than two hundred dollars ($200) or undergo imprisonment for not more than six months for the first violation On the second and each subsequent conviction he shall be sentenced to pay a fine of not more than five hundred dollars ($500) or undergo imprisonment for not more than six months in jail or both

Section 8 Nothing in this act contained shall be construed to interfere with or affect regularly licensed physicians in the discharge of their professional duties and nothing herein contained shall be construed to prohibit or restrict the sale of fitting of shoes or commercal foot appliances No retail merchant shall be permitted to practice chiropody as provided for in this act unless duly licensed to practice chiropody

Section 9 The act of March 21 1945 (P. L. 51) entitled "An act defining and regulating the practice of Chiropody and providing penalties" is repealed

Section 10 This act shall take effect immediately

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Dent,	Kopriver, Jr.	Peelor,	Wagner,
Derk,	Lane,	Propert,	Watkins,
Diehm,	Madigan,	Ruth,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,

NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 541, as follows:

An Act amending the act of March 31 1949 (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" authorizing the sale transfer and conveyance of property or interest therein

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of section 4 act of March 31 1949 (P L 372) known as "The General State Authority Act of one thousand nine hundred forty-nine" amended September 26 1951 (P L 1509) and January 5 1952 (P L 1829) is amended to read

Section 4 Purposes and Powers General The Authority is created for the purpose of constructing improving equipping furnishing maintaining acquiring and operating sewers sewer systems and sewage treatment works for state institutions of every kind and character (heretofore or hereafter constructed) public buildings for the use of the Commonwealth an official residence in the city of Harrisburg which shall thereafter be used as the official residence of the Governor of the Commonwealth State arsenals armories and military reserves State airports and landing fields State institutions of every kind and character (heretofore or hereafter constructed) additions and improvements to land grant colleges school buildings and the furnishings and equipment thereof for the use of the public schools State highways and bridges toll bridges tunnels and traffic circles on State highways swimming pools and lakes on State land low head dams improvements to river embankments desilting dams impounding basins flood control projects and the purchase of lands for rehabilitation purposes in connection with State institutions (any and all the foregoing being herein called "projects") Provided however That the purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted hereby (other than for the construction improvement and maintenance of bridges) shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes and the Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

* * *

(d) To acquire purchase hold and use any property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and (without limitation of the foregoing) to lease as lessee with the approval of the Governor any property real personal or mixed or any interest therein for a term not exceeding ninety-nine (99) years at a nominal rental or at such annual rental as may be determined and with the approval of the Governor to lease as lessor to the Commonwealth of Pennsylvania and any city county school district or other political subdivision or any agency department or public body of the Commonwealth or land grant college any project at any time constructed by the Authority whether wholly or partially completed and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority whether wholly or partially completed and with the approval of the Governor to sell transfer and convey to the Commonwealth of Pennsylvania any project at any time constructed by the Authority and to sell transfer and convey any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority

* * *

Section 2 This act shall take effect immediately

And said bill having been read at length the third time and agree to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

MOTION TO RE-REFER BILL

Mr. HALUSKA. Mr. President, I move that Senate Bill No. 574, on third reading, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire by gift the Old Brown's Mill building and project in Antrim Township Franklin County and providing for its maintenance and control

be re-referred to the Committee on Appropriations.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, in reading Senate Bill No. 574, I do not see any place in it which carries an appropriation. Therefore, it is not necessary for this bill to clear the Appropriations Committee.

I, therefore, oppose the motion to re-refer it to the Committee on Appropriations.

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. Mr. President, I do not know very much about Old Brown's Mill, but if I can be of help I will be happy to answer any other questions.

I understand that Senator McPherson is on his way up here, Senator Barr, if you care to wait for just a second.

Mr. BARR. Mr. President, the question is, if this is going to be given as a gift to the State that is one thing, but how much is it going to cost the State each year to maintain it?

Mr. MAHANY. Five dollars and forty-nine cents.

Mr. BARR. Almost equal to the number of the bill.

Mr. President, the Majority Floor Leader is a lawyer and I think he will admit that once the State receives the Old Browns Mill building as a gift, it will be up to the State to maintain it; am I correct?

Mr. MAHANY. Well, I presume that would be so, Senator. I want to answer your question seriously about how much it might cost. I want to say that I do not know at this time, and if you will just wait for Senator McPherson who, no doubt, is an authority on Old Brown's Mill, he probably will be happy to answer your questions.

Here he is now, Senator.

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Adams, Senator McPherson.

The PRESIDENT. Will the gentleman from Adams, Mr. McPherson, permit himself to be interrogated?

Mr. McPHERSON, JR.. I will, Mr. President.

Mr. BARR. Could you give us an idea, Senator, as to how large this Old Brown's Mill building and project is in your county of Franklin?

Mr. McPHERSON, JR. Well, Mr. President, I understand that this is one of the old one-room school houses, so it is not a building of large size.

Mr. BARR. Do you have any idea how much it will cost the State to maintain it after they acquire it, Senator?

Mr. McPHERSON, JR. I am not able to answer that question. As I understand, there is a small endowment which they are willing to turn over to the State, and the endowment in the past has been sufficient to take care of the cost of maintenance.

Mr. BARR. Is there anything in the bill which says that the endowment will come along with Old Brown's Mill?

Mr. McPHERSON, JR. I do not think it says that. There is one thing though, Mr. President, which I think should be straightened out before the bill is passed and which I cannot answer today. The deed by which the land was conveyed to the Old Brown Mill School Memorial Association had a clause of reverter, so that if the land were turned over to the State there might be a question of whether that reverter clause would become effective. That is a qustion of law which I will have to get straightened out.

In answer to the other question, I think on page three, line two, it provides for the assets of the Association to be turned over to the State.

Mr. BARR. Thank you, Senator.

Mr. President, the reason for these questions is that there was a time in my life when I thought it was a wonderful thing when certain donations of property, etc., were made to the city of Pittsburgh and the county of Allegheny for the use of parks. However, upon looking into it further, I found that people want to get rid of a white elephant and these gifts cost the city and the county quite a bit of money.

I personally have no objection to the State acquiring the Old Brown's Mill building. I am for the State having anything of historical value, but I think that we should have a rough estimate of just what this will cost the State to maintain it.

Mr. McPHERSON, JR. I will be very happy, Mr. President, to try to get that information for Senator Barr. I think in the past the endowment fund has perhaps been fifty or one hundred dollars a year, which has adequately taken care of the maintenance of this building.

Mr. BARR. If that is all it is, Mr. President, I suggest that we vote for the bill.

Mr. McPHERSON, JR. Well, Mr. President, I would suggest that the bill go over in its order because if the reverter clause in the deed is effective, it will raise a question as to the validity of the title.

And the question recurring,

Will the Senate agree to the motion?

MOTION TO RE-REFER BILL WITHDRAWN

Mr. HALUSKA. Mr. President, I withdraw my motion to re-refer this bill to the Committee on Appropriations.

Mr. LANE. Mr. President, I withdraw my second to the motion.

BILL OVER IN ORDER

Mr. McPHERSON, JR. Mr. President, I now ask unanimous consent that Senate Bill No. 574, Printer's No. 289, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 620, as follows:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating speed in certain political subdivisions further prescribing enforcement and penal provisions and imposing duties on certain pedestrians

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 102 act of May 1, 1929 (P. L. 905) known as "The Vehicle Code" amended May 18, 1949 (P. L. 1412) is amended by adding at the end thereof new definitions to read

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act

have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * *

"Controlled Access Highway" Every highway street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at points only and in the manner as may be determined by the public authority having jurisdiction over the highway street or roadway

"Divided Highway" A highway with separate roadways for traffic in opposite directions

"Roadway" That portion of a highway improved designed or ordinarily used for vehicular travel exclusive of the berm or shoulder In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to the roadway separately and not to all roadways collectively

Section 2 Clause 4 subsection (b) Section 1002 of the act amended une 27 1939 (P. L. 1135) is amended to read

Section 1002 Restrictions as to Speed

* * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

* * *

4 Twenty-five (25) or thirty-five (35) or forty (40) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds within business or residence districts or public park areas where official signs erected by the proper authorities on the right-hand side of the highway facing the traffic to be controlled or on the left-hand side of one-way streets are displayed This limit shall be observed for a distance beyond said sign for not more than one-eighth (1/8) of a mile An additional sign shall be placed at intervals not greater than one-eighth (1/8) of a mile and any extension of such limited zone shall be marked by additional signs in like manner At the end of such limited zone there shall be an official sign similarly placed as to traffic indicating the end of the limited zone

* * *

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 3 Subsection (d) section 1002 of the act amended June 27, 1939 (P. L. 1135) is amended to read

Section 1002 Restrictions as to Speed

* * *

(d) (1) When the rate of speed of any vehicle is timed on any highway within a business or residence district where official speed limit signs are erected as provided in this section for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act such time shall be taken [by not less than two (2) peace officers one of whom shall have been stationed at each end of a measured stretch and no conviction shall be had upon the unsupported evidence of one (1) peace officer except as hereinafter provided and no such measured stretch shall be less than one-eighth (1/8) of a mile in length Under all other conditions the rate of speed shall be timed] for a distance of not less than one quarter (1/4) mile by a peace officer using a motor vehicle equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation An official certificate from an official speedometer testing station showing such test was made that the speedometer was adjusted for accuracy the date thereof and the degree of accuracy of such speedometer after adjustment shall be competent and prima facie evidence of the fact that such certificate was issued by an official speedometer testing station appointed by the secretary and of the accuracy of the speedometer in every proceeding where an information is brought charging a violation of this section Under all other conditions the rate of speed shall be timed for a distance of not less than one-quarter (1/4) mile by a peace officer using a motor vehicle equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation

(2) The secretary shall have the authority to appoint official stations for testing speedometers and may prescribe regulations as to the manner in which such tests shall be made and shall issue to such stations official inspection certificate forms

* * *

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 4 Section 1201 of the act amended August 24, 1951 (P. L. 1368) subsection (a) amended August 19, 1953 (P. L. 1084) is amended to read

Section 1201 Limitations of Actions

(a) Information charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate within the city borough incorporated town or township in the county where the alleged violation occurred except informations charging any such violations upon any turnpike or highway under the supervision of the Pennsylvania Turnpike Commission which shall be brought before the available magistrate within the county where the alleged violation occurred who is nearest to the first exit from that part of the turnpike or highway where the alleged violation occurred where there is no substantial difference between the respective distances from the place where the alleged violation occurred or the exit from a turnpike to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city borough incorporated town or township in the county within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facia guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that information charging violations of the provisions of sections 205 207 210 212 213 406.1 506 (a) 511 610.1 620 (b) (c) (j) 813 823.1 and 1025 (d) of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed

(b) Where the offense committed is designated a felony or misdemeanor information may be filed as now provided by law

Any salaried police officer excluding any person compensated solely or in part by fees who shall be a member of a police department organized and operating under the authority of a city including cities of the first and second class borough incorporated town or township of the first class when in uniform and exhibiting his badge or other sign of authority whenever a summary offense as described in this act is committed in his presence shall be vested with the authority to stop and present to the alleged offender a printed notice to appear before the nearest available magistrate The notice shall have the full force and effect of a summons issued in the name of the Commonwealth The notice to appear shall bear the name and address of the alleged offender the license number and type of vehicle or other means of identification if a pedestrian the nature of the offense charged the location date and time when and where the alleged offense took place and shall be signed by the police officer issuing the notice and shall bear his number and date and time for the appearance of the offender before the nearest available magistrate having jurisdiction over sum-

mary offenses as defined by this act The date and time for appearance shall be not less than five (5) days nor more than fifteen (15) days of the date of the alleged offense Within twenty-four hours after presenting to the alleged offender the printed notice as provided herein the police officer shall file a sworn information charging the violation of the specific summary provisions of this act with the court having jurisdiction under this act

(d) Any person who receives from a police officer a notice to appear as provided in subsection (c) of this section has the privilege of paying the prescribed fine to such magistrate before or within the time specified in the notice to appear by entering a plea of guilty and waiving appearance in court The payment of a fine shall be deemed an acknowledgment of conviction of the alleged offense and the court upon accepting the fine shall issue a receipt to the violator acknowledging payment thereof and shall immediately record the payment upon the docket No evidence of the conviction of any person for any violation of this act shall be admissible in any court in any civil action

(e) A failure to respond to the notice to appear provided in subsection (c) of this section shall have the same effect as a failure to appear in cases wherein the proceedings are commenced by the filing of information under this act

Section 5 Subsection (a) section 1202 of the act amended June 29 1937 (P L 2329) is amended to read

Section 1202 Proceedings by Information and Warrant

(a) Summary proceedings under this act may be commenced as provided in section 1201 (c) or by the filing of information which information must be filed in the name of the Commonwealth and within the period of seven (7) days after information has been lodged the magistrate shall send by registered mail to the person charged at the address shown by the reocrds of the department a notice in writing of the filing of the information together with a copy thereof and a notice to appear within ten (10) days of the date of the written notice

1 If the person named in the information or in the notice provided for in section 1201 (c) shall not voluntarily appear within ten (10) days of the date of the written notice or at the date and time stated in the notice provided for in subsection (c) of section twelve hundred one of this act a warrant shall then issue and may be served by a peace officer having authority to serve warrants in the county in which the alleged violation has been committed

If the person charged cannot be served within such county then the magistrates shall deputize a peace officer having authority to serve warrants in the county wherein the person charged resides or may be found to serve such warrant

2 The peace officer serving such warrant shall take the defendant before a magistrate within the city borough incorporated town or township in which the defendant is found or if there is no person holding the office of magistrate in such city borough incorporated town or township then the defendant shall be taken before a magistrate in any adjoining city borough incorporated town or township who shall take bail either for the defendant's appearance before the magistrate who issued the warrant or for his appearance for trial in the proper court if a summary hearing is waived

Section 6 Subsection (a) and the penalty clause of section 1218 of the act the penalty clause amended August 24 1951 (P L 1368) are amended to read

Section 1218 Signals and Investigations by Officers

(a) The operator of any vehicle or except in any city of the first class any pedestrian charged with a violation of any summary provision of this act shall stop upon request or signal of any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority and shall upon request exhibit his registration card or operator's license card or learner's permit or other means of identification if a pedestrian and shall write his name in the presence of such peace officer if so required for the purpose of establishing his identity

* * *

Penalty Any person failing to comply with the signals or requests of peace officers or department employes as provided in this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length at third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 633, as follows:

An Act repealing the last paragraph of section 5 act of May 23 1874 (P. L. 230) entitled "An act dividing the cities of this state into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" which requires publication each year of a statement of all delinquent taxpayers in cities of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of section 5 act of May 23 1874 (P. L. 230) entitled "An act dividing the cities of this state into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" is repealed

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming.			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 648, entitled:

An Act making an appropriation to the Department of Public Instruction to pay reimbursements to school districts

And said bill having been read at length the third time, and agreed to,

Mr. DENT. Mr. President, somewhere along the line I got lost. Is Senate Bill No. 648 presently before the Senate?

The PRESIDENT. That is right.

Mr. DENT. Mr. President, I rise to oppose this bill. I do not want to be recorded as voting for this bill on third reading.

The PRESIDENT. The bill was just agreed to on third reading. It is up for final passage now.

Mr. DENT. Mr. President, I thought I had stopped the order of business before the vote was taken.

The PRESIDENT. The bill was agreed to on third reading.

Mr. DENT. Mr. President, I beg to differ.

The PRESIDENT. The bill is ready for final passage.

Mr. DENT. I distinctly understood it to be the other way, Mr. President. However, that is a matter of record.

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President and Members of the Senate, this calendar has more than one instance on it today that breaks what I believe to be more or less of an agreement reached after many, many hours of deliberations.

There was great controversy as to whether this bill and the next bill were to be considered by this Senate or whether the bills which came over from the House, affecting the same subjects, were to be considered. With the permission of the Senate, I would like to discuss Senate Bill No. 648 and Senate Bill No. 649 in the same debate. They are related in the sense that they make appropriations against the appropriations passed by the Fine Administration. If you will read these bills, you will note that they are being passed as new appropriation bills. During our discussions on these bills we decided that the version which we advanced was the proper method of handling this particular legislation.

Back in April, Mr. President, when we discovered that there was a deficiency in the government of somewhere between $70,000,000 and $80,000,000, it was found that the current expenses of government could not be carried on because of a bad cash position in the treasury. The past biennium was overappripriated. The necessary revenues were not passed to meet the needs of the Commonwealth. That was done, of course, by upping the revenue estimates and lowering revenue needs. At that time, this General Assembly passed a bill borrowing from the $338,000,000 public school subsidy. We found that there were $10,000,000 which had to be paid to first and second class districts which could be set aside for the time being, and that we could use the $10,000,000 to pay current bills. In that legislation which this Senate voted for, we cut the appropriation from $348,000,000 to $338,000,000 and provided in the bill that we wouldre-enact the appropriation bill later on in the Session, but in time to meet the needs of the public schools by increasing it from $338,000,000 back to $348,000,000.

Mr. President, this General Assembly gave its word, collectively and individually, that the appropriation would be increased to $348,000,000. Accordingly, the House, on June the 13th, introduced legislation known as House Bill No. 1555, which followed the instructions of the previous act and amended the appropriation from $338,000,000 back to its original amount of $348,000,000. The bill was then passed over to the Senate. Someone conceived a brilliant political maneuver, or thought it was brilliant, and decided the thing to do was to pass a bill of their own. The bill introduced on July the 26th by Senator Mahany, is the bill which is now before us, known as Senate Bill No. 648, which says that the sum of $10,000,000 is appropriated to the Department of Public Instruction.

Mr. President and Members of this Senate, there have been charges that there has been haphazard bookkeeping in the State of Pennsylvania and those of us who have tried for years to attempt, in our small way, to make some reforms in State Government have always had to fight this bugaboo of political expediency and political threat.

Now we find, Mr. President, that although this approach is distinctly dishonest in so far as bookkeeping is concerned, they add insult to injury, and in the budget report analysis in which they show the expenditures of the Fine Administration on page 10, they show support to public schools, appropriations and expenditures, in 1953-1955 to be $348,000,000. All they are doing in House Bill No. 1555 is to agree that it was $348,000,000. The political chicanery that is being attempted here is to show that John Fine spent $348,000,000 and that Governor Leader will have to spend not only the $348,000,000 which was necessary in that biennium, but $78,840,000 additional because of mandated increases in school subsidies and costs for transportation and other things. So, we find that the Governor had to ask for an appropriation of $426,000,000 because of the mandated increases. If the Republicans pass Senate Bill No. 648, making a brand new appropriation of $10,000,000, which is nothing but an appropriation bill, to return to the Fine Administration's bookkeeping the $10,000,000 we borrowed in April because there was no cash in the till when we came into power to take over the State Government, we will be accused at the end of

the biennium of not only spending $426,000,000; we will be accused of spending $436,000,000 because this little $10,000,000 turkey will be roosting in our hatches.

Mr. President and Members of the Senate, we know that you have twenty-six votes over there and we know that you are going to pass this bill. We also noted over the week-end that although we have taken a position that we believe to be right and that after a long deliberation it was agreed to that we were right by some, House Bill No. 1555 came out of committee and House Bill No. 1628 came out of committee, which followed the dictates of this Legislature in its earlier stealing from the funds. When we went home last week and read the newspapers, we found the newspapers carrying nice quotes from certain Republican leaders and a speech by Senator Wagner in which they held out again that they were saving the public schools of the Commonwealth.

I, as an individual, have a peculiar type of construction, both mentally and physically. Mentally, I do not usually run because of a threat and, physically, I have been known to run but usually it was because of overwhelming odds that compelled me to run. I do not see those odds either physically or mentally on the scene at this moment. If the Republican group wants to pass Senate Bill No. 648 and Senate Bill No. 649 for political purposes, I can assure that group that the schools, if necessary, will close in Pennsylvania. I am not one who believes that you can do by blackmail that which is wrong. If it takes this kind of action to call to the attention of the people of Pennsylvania the seriousness of what is happening during these nine months of legislative Session, then I will assure you that I shall use every means at my command to ask the House of Representatives to defeat these bills.

Mr. President, we are willing to meet our obligation. All of us are cognizant of the fact that our schools are in jeopardy and our schools are in trouble. We did not make that trouble. We are willing to accept the responsibility to correct something which was done by the other political party, without seeking political advantage and without going to the newspapers and claiming credit or without saying a wrod publicly about it, but we resent being blackmailed and bludgeoned into a position we cannot tolerate. This $10,000,000 was appropriated under the Fine Administration. We borrowed the $10,000,000, and in that act of the Legislature we clearly said that we would reenact the appropriation up to $348,000,000. Is that what you are doing? You are not. You are passing a bill making a brand new $10,000,000 appropriation, without any mention of its relationship to the deficiency or of its relationship to the problem of this biennium's needs for the schools.

Therefore, Mr. President, so far as Senate Bill No. 648 is concerned, that is the only position which honor can dictate that we take in this matter. We find that if blackmail succeeds once, it will continue to ruin the future actions of this General Assembly.

In so far as Senate Bill No. 649 is concerned, we took from the schools sometime in April, I believe, some $11,700,000. This money was money which was appropriated and required under contracts made with the local school authorities for rentals on school buildings and represented our part of the subsidies towards this school building financing and for the payment of bonds. In the month of June, the House, pursuant to its promise, passed a bill for $11,700,000 in order that the school districts would not have to borrow from local banks and pay interest on money which was due them from the State. The Budget Director of the Commonwealth was called over by the Republican Caucus and asked whether or not any part of this could be set aside for the future, so that we would not have to immediately raise funds. At that time the tax anticipation notes could only raise enough to keep the State going on a minimum course. So, you at that time joined us and you passed $5,000,000 of that appropriation out of the $11,700,000 that we borrowed, and you passed it according to the same act which was introduced, namely House Bill No. 1628. However, you set aside and held in obeyance the balance of $6,700,000. Then the House, again on June 28th, passed House Bill No. 1628 making the appropriation of $6,700,000. In our discussions, the argument was raised that House Bill No. 1599, which made the appropriation of $10,000,000 directly to the public schools for salaries and other school mandated needs, could properly come under the appropriation of 1953-1955. However, there was some discussion as to whether the responsibility for the money, under House Bill No. 1628, should be labeled a deficiency. So, in a manner of compromise and hoping to keep from standing this General Assembly and this Senate up for further ridicule in the public press and in the minds of the people, in an effort to work out an agreement whereby we could some day in the future adjourn sine die with some feeling of having accomplished something, we agreed to take out of the title to House Bill No. 1628 the word "deficiency." In order to give those who thought that this action was rather bad politically for the Republican Party, we accepted the watered down version to go along on that basis.

Mr. President and Members of this Senate, we are just as sincere friends of the schools in Pennsylvania as any of the Republican Members of the Senate are. I honestly believe that they, too, are just as sincere in their efforts toward the schools as we are trying to be. However, you cannot do this honestly. You cannot do it with propriety and you cannot do it politically. You may vote for it and you may pass Sentae Bills Nos. 648 and 649, but I assure you that if that is the appropriation which the schools are depending upon, then it would be better if the schools temporarily find themselves in a position where they can understand that, because of a desire to make political capital out of a bad situation, the Republican Senate is jeopardizing the school system of this Commonwealth.

Long ago, I thought that I was doing it honestly when I said to them that the responsibility for the State and its services belong to the Governor and the Administration that was elected to office. I also said that the right of the Republican Majority in the Senate to veto those actions, which meant that the health and welfare of this State were put in jeopardy, was not a right which was given by the Constitution in the sense that they were to wreck, but it was a right to keep the Administration from going overboard. The right to advise has always been recognized. The right to amend is recognized. However, if the Republicans want the right to veto, as I have called it time and time again, the Russian veto, then they will have to assume the full responsibility of government. If they want to run the government with twenty-six Republican votes and negate everything which the Governor desires in this Commonwealth, then they will have

to write the entire program. If we are going to be condemned by the school people of Pennsylvania for something which is not our fault or our doing or of our making, then there is only one path which we can pursue. We will have to take that action which is dictated by good government. Good government says that we cannot, at this time, afford to be blackjacked into a position which is both unreasonable and untenable.

Therefore, Mr. President, I sak my colleagues on this side, and I ask the Republicans on the other side to vote against these two bills.

Mr. MAHANY. Mr. President, as I listen to my good friend from Westmoreland County, Senator Dent, I am often reminded of the expression which I believe Gladstone used relative to Mr. Disraeli, "The gentleman often becomes inebriated with the exuberance of his own verbosity."

I do not think that it is necessary, Mr. President, to make a long speech about these bills. I was going to ask that the bills be recommitted last week and then I thought it would perhaps be better to have them go over in order so that we might consider all of the package when they were on the Third Reading Calendar.

Mr. President, over the week end I read an interesting editorial in the local Sunday Patriot News, which criticized the Republican controlled Senate for not having passed some legislation. They said, in that editorial, if we were not satisfied with the Democratic legislation relative to reimbursement for school districts, we should have brought our own legislation out of committee and passed it. Well, for the benefit of that learned editor who wrote that fine editorial, I would call his attention to the fact that we did get these bills out of committee shortly after they were introduced. In fact, I believe they came out of committee the next day, on July 27th, after they were introduced by me on July the 26th. I belive that when they reached second reading, as I remember it. Senator Haluska rose in place and asked that the bills go over because he had not had an opportunity to discuss the bills with me. Then week followed week, and we evidently did not have sufficient votes here to get them before the Senate for final passage. I would call the Senator's attention to the fact that today we do not have twenty-six votes over here; we only have twenty-five votes. Therefore, if the Democrats do not give us any votes for these bills they will fail on final passage.

However, Mr. President, I want to call the Senator's attention to this fact and that is this is the way the Rebublicans would have done this job if we were in control. It is foolish, and I believe illegal, to try to amend appropriation act at this time which was provided for in 1953 by appropriating $10,000,000 more for any purpose whatsoever, including the purpose of reimbursement to the school districts. All of the moneys which were in these appropriations of the 1953-1955 biennium have either been paid out or they have lapsed. How you are now going to get $10,000,000 more out of that appropriation is more than I can understand. It has never been done, as I understand it, before to try to amend appropriation acts of a biennium which has past. As I recollect, in the James Administration when they had a similar circumstance as this, they put whatever was needed in the James budget in order to take care of any deficiency of the outgoing Earle administration. Governor James was honest and he put that amount in his buduget for his first biennium.

The amount which we appropriate here in Senate Bill No. 649 is $6,711,000. It is the amount which is necessary to be paid for reimbursement to these school districts, and whether you put it in, as a matter of bookkeeping, in the old biennium or the new biennium it does not make much difference.

Mr. President, I think that the school districts are essentially interested in getting the money. They do not care whether we put this on Leader's Administration or whether we put in on Fine's Administration. We are not going to be so obstinate, however, Senator, as to vote against House Bills Nos. 1555 and 1628 when they come before us. We do want, however, to send over to the House our version of what should be done, which is included in Senate Bill No. 648 and Senate Bill No. 649. You can vote them down if you so please. We are not trying to blackmail you.

The only threats I ever receive come from the other side. I never make threats. I get them at all hours of the day. You can usually see my wrist watch come out early in the morning and I say, "Well" the threat comes at ten o'clock this morning instead of nine." At no time have I ever threatened you in any way whatsoever, but I do not believe that you can say that about yourself

I want to say this, Senator, so that the editor of the local Harrisburg Patriot can see that the Republicans do have their program in connection with this, and even though we had been as active as he thought we should be last July, we probably would not have been able to enact this legislation through the Senate if we did not have some help from your side.

As far as I am concerned, Senator, you go ahead, you on your side, and vote down these bills and when we come to your bills we are going to be a little bit more considerate of you than you are of us. We are going to vote for your bills when we reach them on the calendar.

Mr. DENT. Mr. President, there is one thing which I would like to clear up. I do not think I have ever threatened the gentleman on the other side unless maybe my voice might be louder than his and raising my voice might be interpreted as a threat. I am very fond of Senator Mahany, and I certainly would never threaten him. Whenever I got to the stage that I would threaten, I would probably follow through on it.

Mr. President, I do not usually threaten .I just told you a simple fact and told you what we were going to do, because it is necessary for the sake of good government to do it that way. I do not want to expose what has been going on, but I think that the gentleman will agree that there was perfect agreement that we would not pass these bills; that we would pass the two which came from the House. All of a sudden he finds that you cannot appropriate out of one Administration into another, but he voted for the $10,000,000, he and all his colleagues, and in that act of the Legislature we specifically said, and I would like to read for the benefit of those whose memories are not good:

"The General Assembly hereby declares its intention to restore to the Department of Public Instruction by subsequent legislation the funds withheld it by this act."

Mr. President, we made that declaration and followed through on the next page. All we are doing in our bills is putting the acts in the same position they were in April. Now as far as your being considerate of us in going along on House Bills Nos. 1555 and 1628, that is a matter of conscience. You promised it in April and if you want to quit on it now, it is perfectly all right with us. The only ones that will suffer will be the schools. The responsibility for keeping the schools, up until this moment, remains with the past Administration and not with this one.

Mr. President, how are you going to appropriate this $10,000,000 until you get taxes anyway, unless it is out of tax anticipation notes? We borrowed the $10,000,000 and then passed tax anticipation notes to pay it back. All that we are doing is paying it back.

Mr. SEYLER. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. SEYLER. Mr. President, I do not quite undestand the modus operandi of the Majority Leader in this case. As I understand it, I read in my morning newspaper today that the Majority Leader had said that they were going to pass this set of bills and also House Bill No. 1555 and House Bill No. 1628. As I understood his speech on the floor just a few minutes ago, I understand that that is his intent. Just to be clear on it, I would like to ask the gentleman whether it is his intention, if these bills should pass, to also pass the other set of bills.

Mr. MAHANY. Mr. President, I told, I believe, everybody here that we intended to vote for the other bills. The first part of your supposition I think we can pass by, and say that I do not think now that the bills will pass because I have no doubt that your group will follow the dictates of your leader, Senator Dent, and he stated that he was not going to give any votes for it. As I count noses over here, we only have twenty-five and it takes twenty-six votes, as you know, to pass a bill.

Mr. SEYLER. As I understood that unverbose answer, it was "yes," they are going to pass both sets of bills.

Well, Senator, I would like to call this to your attention. If the other set of bills is passed, which takes care of the $10,000,000 and the $6,711,000 respectively, then in addition you will be appropriating, as I understand it, $10,000,000 more and $6,711,000. I am not a lawyer but I refer the question to the gentleman who is, I understand, a profound student of the law.

Is it not true that if both sets of bills are passed we will, in effect, have passed an additonal appropriation of $10,000,000 and 6,711,000 respectively? Is there anything, Senator, in the bill which would prevent me from reaching that conclusion?

Mr. MAHANY. Senator, many times, as you no doubt know, the Legislature passes two sets of bills and if they both get by both houses and reach the Governor's desk, the Governor will veto the ones which he does not choose to sign. He has that right. However, as I say, I do not think we are going to have to go that far because as far as I can see right now unless you or some other Democrat over there will give us a vote, neither Senate Bill No. 648 nor Senate Bill No. 649 will pass the Senate.

Mr. SEYLER. Well, Senator, the point is that you might convince me on these bills if my supposition would be correct. I am interested in any proposals to increase the amount of money for school purposes, and I thought if that was your purpose you might win some converts. However, I now take it that that is not your purpose, although you are willing to run the risk of that happening.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Berger,	Kessler,	Pechan,	Van Sant,
Blass,	Kopriver, Jr.	Peelor,	Wade,
Chapman,	Madigan,	Propert,	Watkins,
Diehm,	Mahany,	Scott,	Watson,
Flack,	Mallery,	Stevenson,	Whalley,
Fleming,	McPherson, Jr.	Taylor,	Wolfe,
Harney,			

NAYS—16

Barr,	Donolow,	Lane,	Seyler,
Camiel,	Haluska,	McGinnis,	Silvert,
Dent,	Hays,	Miller,	Stiefel,
Derk,	Holland,	Schmidt,	Weiner,

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 649, entitled:

An Act making an appropriation to the Department of Public Instruction for payments due municipality authorities and nonprofit corporations on account of school building rentals

And said bill having been read at length the third time. and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Berger,	Kessler,	Pechan,	Van Sant,
Blass,	Kopriver, Jr.	Peelor,	Wade,
Chapman,	Madigan,	Propert,	Watkins,
Diehm,	Mahany,	Scott,	Watson,
Flack,	Mallery,	Stevenson,	Whalley,
Fleming,	McPherson, Jr.	Taylor,	Wolfe,
Harney,			

NAYS—16

Barr,	Donolow,	Lane,	Seyler,
Camiel,	Haluska,	McGinnis,	Silvert,
Dent,	Hays,	Miller,	Stiefel,
Derk,	Holland,	Schmidt,	Weiner,

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 656, as follows:

An Act amending the act of May 4 1927 (P. L. 519) entitled "An act concerning boroughs and revising amend-

ing and consolidating the law relating to boroughs" increasing the maximum compensation payable to councilmen in boroughs whose population is more than five thousand

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1001 act of May 4 1927 (P. L. 519) known as "The Borough Code" amended July 19 1951 (P. L. 1026) is amended to read

Section 1001 Organization of Council Quorum Compensation Eligibility The borough council shall organize at eight o'clock post meridian on the first Monday of Jenuary of each even-numbered year by electing a president treasurer and secretary which shall constitute the organization of council The council may at the organization meeting elect such other officers as may be provided for by law or ordinance or as may be deemed necessary for the conduct of affairs of the borough The president shall preside over the meetings of council and when absent his place shall be filled by a presiednt pro tempore A majority of the entire membership of council shall constitute a quorum The councilmen may receive compensation to be fixed by ordinance at any time and from time to time as follows In boroughs whose population is seven hundred fifty (750) or less a maximum of five dollars ($5) a month in boroughs whose population is more than seven hundred fifty (750) and not more than fifteen hundred (1500) a maximum of ten dollars ($10) a month in boroughs whose population is more than fifteen hundred (1500) and not more than twenty-five hundred (2500) a maximum of fifteen dollars ($15) a month in boroughs whose population is more than twenty-five hundred (2500) and not more than five thousand (5000) a maximum of twenty dollars ($20) a month in boroughs whose population is more than five thousand (5000) and not more than ten thousand (10,000) a maximum of fifty dollars ($50) a month and in Boroughs whose population is more than ten thousand (10,000) a maximum of [twenty-five dollars ($25)] one hundred ($100) a month

The population shall be determined by the latest United States decennial census or by two and one-half (2½) times the number of registered voters in the borough No compensation shall be paid in any month to a councilman who has failed to attend at least one regular meeting of council during the month A school director shall not be eligible to the office of member of council

And said bill having been read at length the third time. and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceded to the third reading and consideration of Senate Bill No. 661, as follows:

An Act to amending the act of May 21 1943 (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" increasing the compensation of assessors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 505 act of May 21 1943 (P. L. 571) known as "The Fourth to Eighth Class County Assessment Law" amended July 27 1953 (P. L. 598) is amended to read

Section 505 Compensation of Assessor Each assessor hereafter elected shall be paid [ten] twelve dollars for each day of eight hours and at the same rate for each hour of any greater or lesser period necessarily employed by him in the performance of his duties On or before the tenth day fo each month succeeding any month in which the assessor has been employed one or more days in the performance of his duties the assessor shall file with the board a sworn statement of the days so employed indicating the particular days and the nature of the duties performed on each day The board shall make such examination of the statement as to it seems proper and shall allow or disallow any compensation claimed by the assessor within twenty days after receipt of such statement Any assessor who shall be aggrieved by the action of the board in allowing or disallowing any compensation claimed by him may appeal from the decision of the board to the court of common pleas of the county

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 680, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 84.69 acres more or less of land situate in Butler Township Adams County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described tract of land situate in the Township of Butler County of Adams and Commonwealth of Pennsylvania bounded and described as follows to wit

Beginning at a point in a public road on a line of Frank Newell and Herbert H & Jesse F Deckert which point is ascertained by measuring along a line in said road from an angle in said road at the intersection of the land of Bert Carey and Frank Newell south 35 degrees west a distance of 895 feet thence from said beginning point so ascertianed by a line south 39 degrees 45 minutes east a distance of 1450 feet to an iron pin thence south 3 degrees 30 minutes west a distance of 290 feet to an iron pin thence by a line south 43 degrees west a distance of 607 feet to an iron pin on a line of land now or formerly of Joseph Lopp thence along said last mentioned line south 56 degrees east a distance of 830 feet to an iron pin on the line of the Philadelphia and Reading Railroad thence along said railroad north 39 degrees 30 minutes east a distance of 405 feet to an iron pin thence continuing along said railroad north 35 degrees 45 minutes east 1410 feet to an iron pin in an abandoned road thence along said abandoned road and land now or formerly of Allen Thoman north 36 degrees 30 minutes west a distance of 700 feet thence along said abandoned road and line of Geiman and Ondorff north 36 degrees west a distance of 1227 feet to an iron pin in said road thence continuing along said road and line of land now or formerly of Geiman and Ondorff and Harry Van Dyke north 12 degrees west 235 feet to a pin in the first mentioned public road thence continuing along said public road and line of T J Moran south 79 degrees 30 minutes west 435 feet to an iron pin thence continuing in said road by a course north 17 degrees west 16½ feet to an iron pin on line of Bert Carey and T J Moran thence along line of said Bert Carey and continuing in said road south 53 degrees west 205 feet to an iron pin on line of land of Frank Newell and Bert Carey thence continuing along said public road and land of Frank Newell south 35 degrees west a distance of 895 feet to an iron pin at the place of beginning

Being part of the same premises which E R Harbaugh and Annie N Harbaugh his wife by their deed dated April 2nd 1917 and of record in the Recorders Office in Deed Book Vol 78 page 275 granted and conveyed unto Herbert H Deckert and Jesse F Deckert parties of the first part hereto

Biglerville Adams County Pa approximately 84.69 acres File T T No 10 Deed to Commonwealth dated December 31 1931 recorded Vol 110 P 547 ($5800)

The conveyance shall be made under and subject to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject to any estates or tenancies vested in third persons whether or not appearing of record for any portion of the land or improvements erected thereon

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Department of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 All moneys received from the sale of the land shall be deposited in the General Fund

Section 4 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "ays," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 682, as follows:

An Act amending the act of June 25 1947 (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" changing salaries of district attorneys in counties of the sixth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of June 25 1947 (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" amended October 11 1951 (P. L. 1704) is amended to read

Section 1 The anual salaries of the following county officers of counties of the sixth class shall be as follows

The clerk of the court of quarter sessions four thousand dollars ($4000)

The treasurer four thousand eight hundred dollars ($4800)

The controller five thousand dollars ($5000)

The clerk of oyer and terminer one thousand one hundred dollars ($1100)

The clerks of the orphans' court three thousand five hundred dollars ($3500) each

The prothonotary five thousand dollars ($5000)

The recorder of deeds four thousand four hundred dollars ($4400)

The register of wills four thousand dollars ($4000)

Where any of the officers above mentioned holds two or more of said offices he shall receive the highest salary fixed for any of the offices which he holds and the additional salary of seven hundred fifty dollars ($750)

The sheriff five thousand dollars ($5000)

The county commissioners five thousand dollars ($5000) each

The district attorney [shall receive annual salaries depending upon the population of the county as follows

(a) Less than sixty thousand three thousand seven hundred dollars ($3700)

(b) Sixty thousand and more but less than seventy thousand three thousand seven hundred fifty dollars ($3750)

(c) Seventy thousand and more but less than eighty thousand four thousand two hundred fifty dollars ($4250)

(d) Eighty thousand and more but less than ninety thousand four thousand seven hundred dollars ($4750)

(e) Ninety thousand and more but less than one hundred thousand] five thousand dollars ($5000)

The jury commisisoners shall each receive seven dollars and fifty cents ($7.50) for each day necessarily employed in the discharge of their duties The said compensation shall be paid from the county treasury in the same manner as the salary or compensation of other county officers and employees

Section 2 Section 246 act of May 2 1929 (P. L. 1278) known as "The General County Law" and its amendments are repealed in so far as they relate to salaries of district attorneys in counties of the sixth class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pas finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Fleming,	McPherson, Jr.	Stiefel,
Barr,	Haluska,	Miller,	Taylor,
Berger,	Hays,	Mullin,	Van Sant,
Blass,	Holland,	Pechan,	Wade,
Camiel,	Kessler,	Peelor,	Wagner,
Chapman,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Mahany,	Schmidt,	Weiner,
Diehm,	Mallery,	Scott,	Whalley,
DiSilvestro,	McCreesh,	Seyler,	Wolfe,
Donolow,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	

NAYS—2

Harney,	Madigan,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 716, as follows:

An Act amending the act of May 29 1931 (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 9 and 12 act of May 29 1931 (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" amended June 20 1939 (P. L. 498) are amended to read

Section 9 No sale shall be valid where the taxes and interest have been paid prior to said advertisement or where the taxes interest and costs have been paid after advertisement and before sale or when such taxes are not legally due and collectible Every such sale shall discharge the lien of every obligation claim lien or estate with which said property may have or shall become charged or for which it may become liable except no such sale shall discharge the lien of any ground rent municipal claim or tax remaining unpaid or mortgage which shall have been recorded before such taxes became liens by return and docketing as herein provided and which is or shall be prior to all other liens except other mortgages ground rents municipal claims and/or other taxes Any real estate sold under this act may be redeemed by the owner his heirs or legal representatives or by any lien creditor or his heirs assigns or legal representatives or by anyone interested in said estate for the benefit of the owner thereof at any time within two years after such sale by the payment to the county treasurers of the full amount which the purchaser paid to said treasurer for taxes interest and costs and fifteen per centum of the amount of tax in addition thereto In case the purchaser has paid any taxes of any kind whatsoever assessed and levied against said property the same shall be reimbursed to said purchaser before any redemption shall take effect No sale of seated lands for taxes under the provisions of this act shall be prejudiced or defeated by proof that there was personal property to be found on the premises sufficient to pay the taxes assessed thereon nor shall such sale be prejudiced by reason of the fact that such lands so assessed as seated lands were at the time unseated

The county treasurer shall give notice by postage prepaid United States registered mail return receipt requested or United States certified mail return receipt requested or any other form of United States mail service whcih provides both for the Post Office to maintain a record of delivery and for the sender to obtain a receipt evidencing delivery signed by the addressee or his agent such notice shall be mailed within thirty days after such sale to the person in whose name the property is last registered at his last known address advising him of his rights of redemption

When any real estate is so sold no lien whatsoever against such real estate shall be deemed to be discharged during the period for redemption but if such real estate is not redeemed then all liens against the same except such liens as are hereinbefore specifically saved shall be deemed to be discharged from the date that the right of redemption expired

When any real estate is so redeemed by a lien creditor or his heirs assigns or legal representatives or by any person interested for the benefit of the owner the county treasurer shall issue to the person redeeming such real estate a certificate stating the fact of such redemption a brief description of the real estate redeemed and the amount of the redemption money paid which certificate may be entered in the office of the prothonotary of the county as a judgment against the owner of the real estate for the amount stated therein The lien of any such judgment shall have priority over all other liens against such real estate except such liens as would not have been discharged had no redemption been made

Section 12 It shall be the duty of the county treasurer at the first term of a court of common pleas of the proper county succeeding any such sale to make a report and return wherein he shall set forth a brief description of the land or property sold the name of the person (where known) in which the same is assessed the amount of tax and the year for which the same is assessed the time when and the newspapers in which the advertisement for sale was made with a copy of said advertisement the time of sale the name of the purchaser [and] the price for which each respective property was sold and that written notice to the person in whose name the property is last registered was mailed as provided in section 9 of this act Upon the presentation of said report or return if it shall appear to said court that such sale has been regularly conducted under the provisions of this act the said report and the sale so made shall be confirmed nisi

The county treasurer shall at the expense of the county publish a general notice once in a newspaper of general circulation throughout the county stating that the report of the county treasurer with respect to any such sale or sales for delinquent taxes has been presented to the court giving the date thereof and that exceptions thereto may be filed within sixty days after the date of return otherwise the report will be confirmed absolutely

In case no objections or exceptions are filed to any such sale within sixty days after the date of return a decree of absolute confirmation shall be entered as of course by the prothonotary Any objections or exceptions to such a sale may raise the legality of the taxes for nonpayment of which the real estate was sold or the return thereof or the validity of the sale for the reason that the tax was actually paid or question the regularity or legality of the proceedings of the treasurer in any respect In case any objections or exceptions are filed they shall be disposed of according to the practice of the court When the same are overruled or set aside a decree of absolute confirmation shall be entered by the court If such objections are sustained and the court deems the defect not amendable it shall by its order or decree invalidate the sale From the decision of the court of common pleas any party interested may appeal to the Supreme or Superior Court as in other cases If no objections or exceptions are filed as herein provided or where objections or exceptions are finally overruled and the sale confirmed absolutely the validity of the assessment of the tax and its return for nonpayment and the validity of the proceedings of the treasurer with respect to such sale shall not thereafter be inquired into judicially in equity or by civil proceedings by the person or persons in whose name such property was sold his or her or their heirs or his her or their grantees or assigns subsequent to the date of the assessment of the taxes for which such sale was made and such sale after the period of redemption shall be terminated shall be deemed to pass a good and valid title to the purchaser free from any liens or encumbrances whatsoever except such liens as are hereinbefor specifically saved and in all respects as good and effective as if acquired by a sheriff's deed provided the purchaser has filed the bond for surplus moneys as hereinafter provided

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 730, as follows:

An Act amending the act of July 7, 1947 (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city execpt of the first and second class and second class A borough town township school district execpt of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" providing for the use of United States certified mail service in lieu of United States registered mail when required by the act for the purpose of giving of notice

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 308 act of July 7, 1947 (P. L. 1368) known as the "Real Estate Tax Sale Law" amended May 6, 1955 (P. L. 40) is amended to read

Section 308 Notice of Filing of Returns and Entry of Claim (a) Not later than the thirty-first day of July of each year or for the first year a county operates under this act not later than the thirty-first day of October the bureau shall give notice of the return of said taxes and the entry of such claim to each delinquent taxable by [United States [registered] mail return receipt requested postage prepaid] postage prepaid United States registered mail return receipt requested or United States certified mail return receipt requested or any other form of United States mail service which provides both for the post office to maintain a record of delivery and for the sender to obtain a receipt evidencing delivery signed by the addressee or a member of his immediate family such notice shall be addressed to the owner personally at his last known post office address If no post office address of the owner is known or if a notice mailed to an owner at such last known post office address is not delivered to him in person or to a member of his immediate family by the postal authorities then notice as herein provided shall immediately be posted on the property affected Each mailed and posted notice shal 1(1) show all the information shown on the claim entered (2) state that if payment of the amount due the several taxing districts for said taxes is not made to the bureau on or before the thirty-first day of December next following in cases where the notice was mailed prior to August first or that if payment is not made on or before March thirty-first in cases where the notice was mailed on or after August first or no exceptions thereto filed the said claim shall become absolute (3) state that on July first of the year in which such notice is given or if the notice was mailed after July thirty-first that on the first day of the month (naming it) in which the notice was mailed the one (1) year period of redemption shall commence or has commenced to run and that if redemption is not made during that period as provided by this act the property shall be sold at judicial sale and there shall be no further redemption after such sale

* * *

Section 2 Section 602 of the act amended May 10, 1951 (P. L. 258) is amended to read

Section 602 Notice of Sale Prior to any scheduled sale the bureau shall give notice thereof once a week for three (3) consecutive weeks in two (2) newspapers of general circulation in the county if so many are published therein and once in the legal journal if any designated by the court for the publication of legal notices Such notice shall set forth (a) the purposes of such sale (b) the time of such sale (c) the place of such sale (d) the terms of the sale including the approximate upset price (e) the descriptions of the properties to be sold as stated in the claims entered each description commencing with

" .....
Name of Owner
..... "
description

The description may be given in intelligible abbreviations

Such published notice shall be addressed to the "owners of properties described in this notice and to all persons having tax liens tax judgments or municipal claims against such properties"

In addition to such publications [notice of the sale shall also be given by the bureau by United States registered mail return] [receipt requested postage prepaid to each owner as defined by this act at least ten (10) days before the date of sale addressed to his last known post office address or if] the bureau shall also send notice to each owner as defined by this act of postage prepaid United States registered mail return receipt requested or United States certified mail return receipt requested or any other form of United States mail service which provides both for the post office to maintain a record of delivery and for the sender to obtain a receipt evidencing delivery signed by the addressee or his agent such notcie shall be mailed at least ten (10) days prior to the date of sale and addressed to such owner's last known post office address if no post office address is known or if the notice addressed to the owner is not delivered to the owner by the postal authorities such notice shall be posted on the property

The published notice the mail notice and the posted notice shall each state that the sale of any property may at the option of the bureau be stayed if the owner thereof or any lien creditor of the owner on or before the date of sale enters into an agreement with the bureau to pay the taxes in installments in the manner provided by this act and the agreement entered into

In case the property of any corporation limited partnership or joint-stock association is advertised for sale the bureau shall give to the Department of Revenue the notice required by section one thousand four hundred two of the Fiscal Code of the ninth day of April one thousand nine hundred twenty-nine (P. L. 343)

No sale shall be defeated and no title to property sold shall be in validated because of proof that mail notice as herein required was not received by the owner provided such notice was given as prescribed by this section

The costs of such advertisement and notices shall be taxed as part of the costs of such proceedings and shall be paid by the owner the same as other costs

Section 3 Section 611 of the act is amended to read

Section 611 Service of Rule Service of the rule shall be made in the same manner as writs of scire facias are served in this Commonwealth When service cannot be made in the county where the rule was granted the sheriff of the county shall deputize the sheriff of any other county in this Commonwealth where service can be made If service of the rule cannot be made in this Commonwealth then the rule shall be served on the person named in the rule by the sheriff by sending him [by registered mail return receipt requested postage prepaid] a true and attested copy thereof by United States registered mail return receipt requested or United States certifid mail return receipt requested or any other form of United States mail service which provides both for the post office to maintain a record of delivery and for the sender to obtain a receipt evidencing delivery signed by the addressee or his agent such copy shall be mailed at least fifteen (15) days before the return day [of the rule a true and attested copy thereof] and addressed to such person's last known post office address The sheriff shall attach to his return the return receipts and if the person named in the rule has refused to accept the [registered] mail or cannot be found at his last known address shall attach evidence thereof This shall constitute sufficient service under this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming.			

YEAS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 773, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" prohibiting the operation of motor vehicles the mufflers of which have internal parts removed.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1 Section 819, page 3, line 15, by striking out after the word "fine" and before the word "one" the following: "of" and inserting in lieu thereof the following: "not to exceed";

Amend Section 1 Section 819, page 3, line 16, by striking out at the end of the line after the word "imprisonment" the following: "for not more than" and inserting in lieu thereof the following: "not to exceed."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 776, as follows:

An Act amending the act of May 16 1921 (P. L. 579) entitled as amended "An act providing for the better management of the jails or County prisons in the several counties of this Commonwealth of the third fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keepnig discipline and employment of prisoners and the government and management of said jails or county prisons" giving wardens deputies and other appointees of the board powers of peace officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of May 16 1921 (P. L. 579) entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" reenacted and amended July 29 1953 (P. L. 1013) is amended by adding after section 2 a new section to read

Section 2.1 All wardens deputy wardens keepers guards turnkeys and matrons shall have and may exercise the powers of peace officers in the performance of their duties generally in guarding protecting and delivering prisoners in protecting the property and interests of the county and in capturing and returning prisoners that may have escaped

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 780, entitled:

An Act amending the act of July 2 1937 (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of licensee fees for permission to conduct the same" making the provisions of the act affective in municipalities and townships further regulating statements of inventories further regulating the issuance renewal denial and refusal of licenses and the conduct of sales designating certain actions as violations of the act authorizing appeals from refusal or denial to issue licenses

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

RECONSIDERATION OF SENATE BILL No. 780

Mr. HALUSKA. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. HALUSKA. Mr. President, I voted with the majority.

Mr. BARR. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BARR. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILLS OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that Senate Bill No. 780, Printer's No. 295, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HALUSKA. Mr. President, I ask unanimous consent that House Bill No| 794, Printer's No. 1001, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 834, as follows:

An Act amending the act of May 9 1949 (P. L. 927) entitled "An act fixing and regulating the fees commissions mileage and other costs chargeable by the sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local" changing fees commissions mileage and other costs chargeable by sheriffs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of May 9 1949 (P. L. 927) entitled "An act fixing and regulating the fees commissions mileage and other costs chargeable by the sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local" is amended to read

Section 1 In all counties of the second third fourth fifth sixth seventh and eighth classes the fees and costs including commissions and mileage to be charged and received by the sheriff from persons or counties requiring their services shall be as follows

(a) For receiving docketing and making return thereof for each writ of scire facias replevin retorno habendo summons foreign attachment domestic attachment attachment execution complaint in divorce distringas writ of sequestration writ of assistance satisfaction of mortgage injunction mandamus quo warranto bill in equity rule decree order citation subpoena series of interrogatories proclamation or official notice of any kind in any civil action criminal proceeding or public matter issued out of any court or required by law or rule of court [two dollars fifty cents] three dollars

For serving any such writ process or official notice required to be served by the sheriff personally or by copy served or posted [two dollars fifty cents and mileage] three dollars

For each additional defendant or person served or copy posted [one dollar twenty-five cents] one dollar fifty cents and mileage

For making each copy served or posted one dollar fifty cents

For return of tarde venit [one dollar] two dollars

For return of non est inventus [one dollar] two dollars and mileage

Provided however That no charge for service shall be made upon an alias or pluries writ if the same has been charged upon the original with respect to any defendant already served

For serving the same by publication in one or more newspapers as required by law or order of court [two dollars and seventy-five cents] three dollars in each case in addition to printer's bills.

For serving any writ official notice petition rule decree process or order of court or copy thereof not herein specially provided for he shall charge and receive the same official fees and legal costs including mileage as for a writ served in a similar way as hereinbefore provided in addition to any fee of the prothonotary chargeable against the sheriff in relation thereto but no charge shall be made for any affidavit of such service except the fee of the notary or other official administering the oath or affirmation thereto For taking an affidavit one person fifty cents two persons seventy-five cents three or more one dollar

(b) For executing writs of levari facias fieri facias venditioni exponas or any writ or order issued out of any court requiring the levy and seizure of lands and tenements or selling the same according to law the following items to be paid by the plaintiffs or petitioners

For receiving docketing and making return thereof [two dollars fifty cents] three dollars

For serving or posting any copy or notice thereof the fees and mileage hereinbefore provided

For levying on each separate piece or parcel of land [one dollar fifty cents] two dollars and mileage

For advertising to public sale in newspapers each piece or parcel of land [two dollars and seventy-five cents] three dollars in addition to printer's bills.

For advertising to public sale by hand-bills each piece or parcel of land separately described by metes and bounds or otherwise [two dollars and seventy-five cents] three dollars and mileage in addition to printer's bills

For crying the sale of each separate piece or parcel of land separately sold and each adjourned sale [one dollar] two dollars

In addition the sheriff shall charge and receive as an official fee a commission charge of [two] three cents on every dollar based upon the total amount bid for the property whether paid to the sheriff or credited to the purchaser Provided That the amount of same does not exceed one thousand dollars ($1000) in which case one-half cent (½c) on every dollar in excess of this amount shall be charged in addition

For executing and acknowledging any deed for lands and tenements [four] five dollars to be paid by the purchaser when the deed is tendered

For registering the same in any municipality one dollar fifty cents in addition to the fee required by law for registration to be paid by the purchaser

In addition the purchaser shall pay to the sheriff any fee of the prothonotary for the acknowledgment of the sheriff's deed and the fee of the recorder for recording same for which the sheriff shall account to them respectively

(c) For executing any writ of inquiry partition condemnation appraisement inquisition or any similar writ issued by any court alderman justice of the peace magistrate or commissioner under any act of Assembly the following items to be paid by the party who procured same

For receiving docketing and making return thereof [two dollars fifty cents] three dollars

For summoning parties or persons in possession personally or by copy served or posted for first service two dollars fifty cents

For each additional service personally or by copy or posting [one dollar twenty-five] one dollar fifty cents and mileage

For making each copy served or posted one dollar fifty cents

For summoning and swearing special jurors [four] five dollars

For holding inquisition or appraisement of real estate if same be held upon the premise [four] six dollars and mileage to and from the place where same may be located in addition to jurors' experts' or surveyers' fees and necessary expenses

For other execution of any such writ [four] five dollars

For serving the same by publication in one or more newspapers as required by law or order of court [two dollars and seventy-five cents] three dollars in addition to printer's bills

For delivering lands to plaintiff in inquisition or similar proceedings [two dollars and seventy-five cents] three dollars and mileage and no commission in such case shall be charged

(d) For executing fieri facias domestic attachment foreign attachment fraudulent debtors attachment retorno

habendo and replevin or any writ or order issued out of any court requiring the levy or seizure of personal property or selling the same according to law the following items to be paid by the parties procuring same

For receiving docketing and making return thereof [two dollars fifty cents] three dollars

For serving or posting any copy or notice thereof the fees and mileage hereinbefore provided

For each levy on personal property [two dollars and fifty cents] three dollars and mileage

For return of nulla bona one dollar fifty cents and mileage

For clerk hire at each sale whether on one or more writs against the same defendant two dollars fifty cents

For advertising personal property to public sale by hand-bills [two dollars and seventy-five cents] three dollars and mileage in addition to printer's bills

For adjourning any sale [one dollar] two dollars and mileage

In addition the sheriff shall charge and receive as an official fee a commission of [two] three cents on every dollar based upon the total amount realized from said sale whether paid to the sheriff or credited to the purchaser on account of any writ Provided That the amount of same does not exceed one thousand dollars ($1000) in which case one-half cent (½c) on every dollar in excess of that amount shall be charged in addition

For each watchman to take care of property attached levied upon or otherwise taken into legal custody when necessary or requested by any of the parties interested [seven dollars fifty cents] ten dollars for each period of eight hours to be considered a day's service and a proportionate sum for any fraction of such day to be payable to such watchman and collectible for his benefit by the sheriff from the party benefited thereby or person requiring his services in like manner as other legal costs payable to the sheriff may be collected

For insurance arranging goods for sale heat light power storage rent transportation supplies feeding livestock and similar expenses incurred in caring for and keeping the goods and chattles levied upon or attached when the same are necessary or advantageous or when requested by any party interested to incur any such expenses the actual costs thereof to be paid by the plaintiff petitioner or party requiring same to be incurred provided any surplus of advances for same be refunded

(e) For the settlement or staying by the plaintiff of any writ embraced in any section of this act relating to either lands and tenements or personal property the execution of the same not being concluded the sheriff shall receive the same fees for receiving docketing and returning levying and advertising with mileage and such commission as would be chargeable if sale had been made upon said writ for the amount paid to settle or stay the same whether such sum be paid to him or to the plaintiff or a compromise be made between plaintiff and defendant for the future payment of any sum to satisfy the same

For receiving and docketing each property claim wage claim rent claim or exemption claim [two] three dollars to be paid by the claimant upon filing same with the sheriff or his deputy in addition to any fee collectible by the prothonotary or clerk of any court for filing any notice petition or rule relating thereto

For the appraisement of personal property by virtue of any act of Assembly or at the lawful request of any party four dollars and mileage Provided That in any case where the appraisement of a large quantity of goods or the services of experts shall be required the sheriff or any party may apply by petition to the court or a judge thereof having jusdiction over said matter setting forth the facts and said court or judge may make an order fixing the sum to be allowed and paid to the sheriff for the compensation of the appraisers as the proper cost of making such appraisement which sum so fixed and allowed shall be taxed as the sheriff's proper legal costs The plaintiff or petitioner in the proceedings shall pay for the making and filing of any appraisement required unless otherwise provided by law

For notifying the Auditor General of the proposed sale of the property or the franchise of any corporation or joint-stock association three dollars

(f) For executing venire facias or venire facias jurotores issued out of any court the following items to be paid by the county

For receiving docketing and making return thereof on each venire [two dollars fifty cents] three dollars

For any services of the sheriff in drawing names of jurors from the jury wheel and summoning such jurors or summoning any jurors drawn by any jury board or commissioner the sheriff shall be entitled to charge and receive from the county [one dollar] two dollars and mileage and necessary expenses for each juror drawn

(g) For executing writs of habere facias liberari facias dower possessionem or possessory process requiring the delivery of possession of real estate or ejecting or dispossessing any person or [perons] persons of their effects [five] six dollars and mileage and reasonable costs for help when necessary to preserve the peace or safeguard property in addition to the costs of sale when made to be paid by the party depositing such writ or demanding possession

(h) For executing any process warrant capias attachment decree sentence or order of court issued out of any court where any person or the defendant's body is taken into custody to be paid by the county when the Commonwealth is interested otherwise by the party procuring such process writ order or decree as follows

For receiving docketing and making return thereof [two dollars fifty cents] three dollars

For each arrest [one dollar fifty cents] two dollars and mileage in addition to necessary help and expenses including the compensation of any special deputies required who shall be paid at the rate of [seven dollars fifty cents] ten dollars for eight hours' service

For transportation of each prisoner [ten] twelve and one-half cents per mile in addition to necessary help and expenses including the compensation of any special deputies required who shall be paid at the rate of [seven dollars fifty cents] ten dollars for eight hours' service

For each commitment to jail correctional institution asylum or place of detention of any juvenile court in any criminal or civil case [fifty] seventy-five cents to be paid by the county unless otherwise provided by law

For discharging any person or prisoner from any such place of confinement in any case [fifty] seventy-five cents to be paid by the county

For executing bail-piece or taking bond in any matter whether civil or criminal [one dollar fifty cents] two dollars to be paid by the person benefited unless otherwise provided by law

In addition the sheriff shall receive for the indictment in each oyer and terminer case the sum of [three] four dollars and in each quarter sessions court or other county court case the sum of [one dollars and fifty cents] two dollars to be paid by the county

For each bill ignored by the grand jury [one dollar and fifty cents] two dollars to be paid by the county

For each case acted upon by any juvenile court [one dollar and fifty cents] two dollars to be paid by the county

For each non-support or desertion case acted upon by any court the sum of [one dollar and fifty cents] two dollars to be paid by the county

(i) Where the sheriff shall be in charge of any jail or prison or place of detention he shall be entitled to receive such allowance for the custody care and maintenance of prisoners and inmates as may be fixed by the courts or official boards of the respective counties having supervision of such institutions or as said courts or boards may approve upon itemized bills rendered from time to time to be paid by such county in addition to any compensation for his services fixed by law or by any court or official board authorized to fix such compensation

For removing an insane or weak minded or defective person to any institution for the confinement of any

such persons or any person to the penitentiary workhouse Huntingdon Reformatory or to any charitable institution or any hospital school or home where persons are confined or detained or supported under any commitment sentence or order of any court [two dollars and fifty cents] three dollars on each commitment or order in addition to mileage and necessary expenses including the compensation of any special deputies required who shall be paid at the rate of [seven dollars fifty cents] ten dollars for eight hours' service to be paid by the county unless some other governmental body is chargeable therewith by law Provided however That the mileage for the person in custody under commitment or order shall be based upon the miles actually traveled to his or her destination

(j) For attending court when required to do so by law or by any judge or district attorney or bringing into and removing therefrom prisoners for arraignment trial or sentence or witnesses held in custody the sum of fifteen dollars per day for the sheriff of any second class county and ten dollars per day for the sheriff of any other county and a like sum for each deputy for each day of oyer and terminer court quarter sessions court juvenile court or county court including the County Court of Allegheny County when the sheriff or deputy is actually present to be paid by the county

(k) [For levying or paying out fines three cents per dollar to be paid by the party or person receiving the fine]

For issuing and recording any license one dollar fifty cents in addition to the license fee payable to the county or Commonwealth to be paid by the licensee

[For advertising general or special elections in newspapers two dollars and seventy-five cents in addition to printer's bills to be paid by the county

For advertising general or special elections by handbills for each polling place two dollars and seventy-five cents and mileage in addition to printer's bills to be paid by the county

For serving notice on the judge of each election district in special elections seventy-five cents and mileage to be paid by the county]

(l) For services performed in his capacity as a conservator of the peace or police officer in suppressing riots mobs or insurrections and when discharging any duty requiring the summoning of a posse comitatus or special deputy sheriffs the sheriff shall receive per diem compensation at the rate of [seven dollars fifty cents] fifteen dollars in any county of the second class and ten dollars in other counties for eight hours' service together with the mileage and necessary expenses including subsistence for himself and those under him to be paid by the county

For each special deputy appointed by any sheriff in case of any emergency to assist him in executing any civil or criminal process or court order or preserving the peace such sheriff may charge and shall receive from the county compensation for such deputy at the rate of [seven dollars fifty cents] fifteen dollars in any county of the second class and ten dollars in any other county for eight hours' service in addition to the expenses incurred for the transportation and subsistence of such deputy while rendering such service

(m) For mileage in serving or executing any of the writs official notices rules decrees orders or processes or copies thereof or performing any of the duties or services herein specified or authorized by law the sheriff shall be entitled to charge and receive and may tax as official costs [ten] twelve and one-half cents a mile circular for each mile necessary to be traveled by him or any of his deputies or employes and the same shall be allowed upon each separate writ rule order decree process or notice served or service performed Provided That he shall not receive more than one mileage where the plainitff and defendant in two or more contemporaneous writs are the same or when conducting two or more persons or prisoners at one time to or from a place of detention or correction but he shall also receive the aforesaid mileage for transporting such prisoners and his deputies guarding them and meals and lodging during the journey and the return of his deputies

(n) For the executing of any matter directed to the sheriff or required by law or rule of court the performance of which is not herein mentioned the sheriff shall receive the same official fees commissions and legal costs including mileage as for similar service herein specially provided for

(o) In all cases or proceedings of which the County Court of Allegheny County shall have jurisdiction the sheriff shall receive the same fees commissions and costs including mileage for official services in connection therewith as for similar services in like proceedings in other courts of the Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that House Bill No. 1072, on third reading, entitled:

An Act approving ratfying and enacting into law the Great Lakes Basin Compact making the Commonwealth of Pennsylvania a party thereto creating "The Great Lakes Commission" providing for the members thereof from the Commonwealth of Pennsylvania providing for the carrying out of the purposes of the compact and making an appropriation.

be re-referred to the Committee on Appropriations.

Mr. DENT. Mr. President, I second the motion.

The motoin was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1104, entitled:

An Act amending the act of April 21 1949 (P. L. 665) entitled "An act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local

self-government and providing the procedure therefor imposing certain restrictions limitations and regulations mposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties" providing for the revision of home rule charters providing for the establishment of a charter revision commission for the purpose of making revisions and imposing duties upon city councils city officers boards of election courts and the Secretary of the Commonwealth

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection?

Mr. SILVERT. May we be at ease a moment, Mr. President?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. SILVERT. Mr. President, we will debate the amendments on the floor.

The PRESIDENT. There being no objection, the gentleman is given unanimous consent to offer amendments.

The Clerk read the amendments as follows:

Amend Sec. 2 (Sec. 20.3), page 4, line 16, by striking out "eleven" and inserting in lieu thereof: "twelve"; Amend Sec. 2 (Sec. 20.3), page 4, line 18, by striking out "jointly"; Amend Sec. 2 (Sec. 20.3), page 4, lines 18 and 19, by striking out "and the president of the council"; Amend Sec. 2 (Sec. 20.3), page 5, line 1, by inserting after "commission": "three for a term of one year, three for a term of two years, three for a term of three years, and three for a term of four years. Thereafter all appointments shall be for a full term of four years.";Amend Sec. 2 (Sec. 20.3), page 5, line 1, by stricking out "two-thirds" and inserting in lieu thereof: "one-half"; Amend Sec. 2 (Sec. 20.3), page 5, line 4, by inserting after "filled": "for the balance of the unexpired term."

On the question,

Will the Senate agree to the amendments?

Mr. SILVERT. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. SILVERT. Senator Mahany, will you explain to the Members of this Senate just what these amendments intend to accomplish?

Mr. MAHANY. Mr. President, first, we place twelve members on this commission rather than eleven, because later on we provide for bipartisan members on this commission. Therefore, we should have an even number.

We also provided for staggering terms of the membership. The bill which is now before us does not provide for any term. I presume the person who was appointed could carry on for life, but I believe it is better for commissions to have a definite term of office. Therefore, we have made the term of office four years and we have staggered the terms of the first members so that three of them will expire at the end of one year, and the other three commissioners' terms will expire at the end of two years and the other three at the end of three years and the other three at the end of four years, and then, thereafter, the terms of those which have expired, their successors shall be appointed for a four-year term. That makes for a continuing commission.

We also did not see why it was necessary to have the consent of the President of the Council for this appointment. We believe that the mayor is capable enough to appoint a commission such as this and it would not be necessary, we believe, to have the mayor consult with the President of the Council on the makeup of the commission.

Mr. President, the bill, as presently written, provides that two-thirds of the membership shall be of the same party as the appointing power, which in this case would be Democrats; one-third would be of the opposite party, which, of course, would be Republicans. If the members continue in office until they die, then it provides that their successors shall be of the same political faith as the one who dies. In that event, fifty years from now, the commission would still be made up of two-thirds Democratic and one-third Republican, regardless of whether the administration in Philadelphia were Republican or whether it were Democratic. We feel that is unfair. If a good job is to be done with the Charter in Philadelphia, we feel it should be a bipartisan committee; half Republicans and half Democrats. Then, their terms should be definite; they should be four years. If one of them dies in office, their successor shall be of the same political affiliation as the one who dies, and he shall remain in office for the unexpired term. We feel that this makes a good bill out of one which perhaps unintentionally was made to be an unfair bill.

We feel that if you accept the amendments which we have offered, then you will see that these will make a good, workable Charter Commission for Philadelphia, and you will not be accused of partisanship in trying to get across some unwarranted provision in the Charter of Philadelphia. I think you will find that this will be a protection to your Party, Senator Silvert, if you adopt these amendments.

Mr. SILVERT. Senator Mahany, will you tell us who suggested these amendments to the present bill?

Mr. MAHANY. Mr. President, if that question is material, there was no particular person who suggested the amendments. We go over these bills—two or three of us, consisting of Senator Taylor, Senator Berger, Senator Pechan and others—and we try to find out what the bill is about, and if we feel that the bill is unfair, we then feel that certain amendments should be made to it.

It is our opinion that this bill in its present condition is an unfair bill. We just tried to make a fair bill out of it. There was nobody from Philadelphia who called us on the telephone, or any bosses down there, who had anything to do with these amendments. I do not know whether there are any bosses in Philadelphia, but if there are, no one called us.

Mr. SILVERT. Mr. President, I rise to object to these amendments; first, because the bill, as originally passed in the House, had been given a great deal of thought and effort by not only the Democratic Administration in Philadelphia, but by civic-minded persons who wish to provide a plan for proper and orderly amendment of those provisions of the Charter which may need an amendment. Obviously, presently, our Charter suggests a form of amendment which has proved unworkable and

the bill, as presented in the House, represented the best thought, I believe, of both parties in the city of Philadelphia.

I particularly object to the amendment which takes away the power from the President of City Council to have any voice in the appointment of this commission. We should know—and I say this, although I have the greatest confidence in our present Mayor of Philadelphia, Mayor Clark—that it was Mayor Clark, himself, who felt that there may always be some division of opinion, even within your own party, and that it is true democracy to permit the Mayor and the President of City Council to participate in the appointment of a commission.

Mr. President, I shall be frank to say that I cannot evaluate in this quick moment the value of the other amendments. I am merely objecting to all the amendments on the fact that the bill had been given great study by the administration in Philadelphia and by civic groups in Philadelphia, and they felt that the bill was presented in the House of Representatives was a good bill.

I, therefore, ask the Members of the Senate to vote against the amendmnts.

Mr. DONOLOW. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. DONOLOW. Senator, Mahany, was the Republican candidate for Mayor of Philadelphia, Mr. Longstreth, consulted concerning these amendments?

Mr. MAHANY. He was not, Mr. President.

Mr. DONOLOW. Was the Republican City Chairman of Philadelphia consulted concerning these amendments?

Mr. MAHANY. As far as I know, Mr. President, he was not by me or by anyone else.

Mr. DONOLOW. Have either of the men whom I just mentioned voiced any opinion in reference to this bill or to your amendments?

Mr. MAHANY. Not to the amendments. I understand that the Republican Candidate for Mayor is in favor of a commission bill such as this. I received that information secondhand. I think, in the public print, he has come out in favor of this commission bill.

Mr. DONOLOW. Then, you have submitted these amendments, and the Republican Members of the Senate have submitted amendments, to a Philadelphia bill without consulting either your candidate from Philadelphia or your Philadelphia City Chairman.

Mr. MAHANY. I did not think that was necessary. This bill is a bill which we feel you would like to have as a fair bill, and we have tried to make a fair bill out of it. We do not think that the two-third Democratic majority on this commission should be perpetuated forever. Perhaps, in 1980, it might be that there will be a Republican administration down in Philadelphia. I hope this will occur before 1980, but we will say conceivably at some future time, a Republican administration will be in power and it would not be fair to have two-thirds Democrats on that commisison and one-third Republicans. If it were the opposite, if we had a Republican Mayor now, I feel quite sure you would like to have equal representation on this commission.

Mr. DONOLOW. Senator Mahany, you will agree that this is home rule legislation for Philadelphia?

Mr. MAHANY. I suppose you could call it that.

Mr. DONOLOW. Do you feel that under that title you should have consulted with your people in Philadelphia?

Mr. MAHANY. Not necessarily. I do not have any bosses in Philadelphia. I kind of operate on my own here in the Senate.

Mr. DONOLOW. Thank you.

Mr. President, I am strongly opposed to these amendments and I just would like to add my voice to one phase of the amendments which I feel are unfair.

In regard to the section which deals with the taking away of the power of the President of City Council, we all have confidence in the present Democratic Mayor of Philadelphia and we have an equal amount of confidence in the new Democratic Mayor of Philadelphia, come next November. However, we are opposed to taking the power of joint appointment away from the President of City Council. The Council is the representative of the citizenry who go to the polls. It is elected from the varoius districts as well as councilmen-at-large. When you take the head of a council who is elected by the representatives of the people, then you are taking true democracy away from Philadelphia. It is important to the people of Philadelphia that this power of appointing a joint commission be placed with both the Mayor and the President of City Council.

Therefore, Mr. President, I ask that my colleagues vote against these amendments, and I ask the Republican Members who are interested in home rule in Philadelphia to do likewise.

Mr. STIEFEL. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Ms. STIEFEL. Senator, is this amendment subject to the unit rule or are members of your caucus free to vote the way they want?

Mr. MAHANY. We do not have any unit rule down there on such bills as this, Senator. As I told you, it has been a long time since we have had a unit rule in the Republican Caucus.

Mr. STIEFEL. Mr. President, if, by the wave of a magician's wand, I would become now a Republican, I would vote against this amendment because this very afternoon, on the 10th of October 1955, this amendment is giving Mr. Dilworth a present of an additional 50,000 votes. I feel that this is a pre-election present for a post-election activity to Mr. Dilworth. When he becomes Mayor, he will have to appoint all the members of the commission. I feel that the elimination of the President of City Council indicates that they do not think enough of us up-State. Now they figure that we do not know how to split tickets and that whoever is going to be the Mayor will have a President of City Council who is of the same political affiliation.

Mr. President, if I would be a Republican, I would preserve that provision because by remote chance there may be a Republican President of Council, which is quite impossible, and a Democratic Mayor. Therefore, I would retain that provision of having the President of City Council have the power to appoint members of this commission. Furthermore, the number of twelve, being an even number, indicates that there will be an impasse

in the activities of this commission, and no results will be produced and we are dooming it now to futility and frustration.

Mr. BARR. Mr. President, I would just like to say to the Majority Leader that, in offering amendments like this, probably the Democratic Party will stay in power until 1980 and they never would have control of this commission.

I further believe, Mr. President, in fairness to both political candidates who are running for office in Philadelphia this year, namely, the office of Mayor, that these amendments should not be voted upon until both of those men are asked, in the public print, how they feel about these amendments. That is the only fair way to do this. I am not a Philadelphian; the man who offered these amendments is not a Philadelphian. I have my own reasons for thinking where he got the amendments. I have been told that the President pro tempore of the Senate said, "You will take this bill, or you will take it no other way."

I want to also speak about representative government. You say that the bill says, "not more than two-thirds of the commission shall be registered electors enrolled in the same political party." You have changed that to one-half. Now, Mr. President, there are twenty-six of you fellows and there are twenty-four of us. This is your idea of representative government. These are the committees which the President pro tempore has appointed. Let us just take Banking. There are twelve Republicans and seven Democrats on that committee. Let us take the Committee on Highways; seventeen Republicans and seven Democrats. Let us take Judiciary General. I am taking the important committees. There are sixteen Republicans and eight Democrats on the Judiciary General Committee. Now if you believe in fair representation in Philadelphia, as you say, when you are in the minority party you want one-half, then I think you ought to give the same ratio up here.

Putting all those arguments aside, Mr. President, I am convinced in my own mind that the amendments were given to the President pro tempore of the Senate by some of his cronies in Philadelphia. I am just as sure of that as I am standing here. That is what I believe and contrary to what you may say, you cannot make me change my mind. I think that if you want to be at all fair to your man who is running, and to our man who is running, this question should be put to them in the public print and let them say if you are doing the proper and correct thing.

Mr. MAHANY. Mr. President, I want to call Senator Barr's attention to the makeup of the Committees in the House. There you have almost an equal distribution between Republicans and Democrats, and you will find that the makeup of the committees there represents a great majority in favor of the Democrats as against the Republicans. I can take almost any committee there. Take the Committee on Education; there is the chairman, vice-chairman and fourteen Democrats and eight Republicans. You can go through every committee in the House and you will find that the Democrats far outweigh the Republicans.

Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator STIEFEL.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. STIEFEL, permit himself to be interrogated?

Mr. STIEFEL. I will, Mr. President.

Mr. MAHANY. Senator STIEFEL, you seem to voice most of your objections against the President of City Council not having any say about the makeup of this commission. If we restored that so that he also would appoint jointly with the Mayor, would that take away your objection?

Mr. STIEFEL. One of them; the other is the number of members.

Mr. MAHANY. If you think that will help the bill any and will make it fairer by having the President of Council consulted and act with the Mayor to make up this commission, I will be glad to correct my amendment so that this commission will be jointly named by the Mayor and the President of City Council.

Mr. STIEFEL. Well, here is another objection. I have said before that an even numbered commission will doom the work to frustration and futility. That was another objection. Finally, the even division of membership is not accepted.

May I make a suggestion in answer to your question? Time is not so much of the essence that we have to pass the bill tonight. My thought would be to invite Mr. Thacher Longstreth and Mr. Richardson Dilworth to come here, and we would ask their opinion. After all, one of them will be the Mayor of Philadelphia and we will abide by their decision. Then you will not be accused of interferring in the home rule of Philadelphia.

Mr. BARR. Mr. President, the Majority Leader, in an off side bar conference here, said that it should be this way because the Republicans have more of a registration in Philadelphia. Well, if that be the case, Eisenhower should not be President and Leader should not be Governor, because the Republicans have more registered people in this State and the Democrats have more registered people in the Country so that argument does not hold water.

Mr. President, this bill went through the House. The statement about their committees over there, I think, has very little to do with it because they did not bring up that question. I want to bring to the Majority Leader's mind that the division over there is far different that it is here and in the committees, the representation is far better; it is fourteen to eight. Here in the Senate it is seventeen to six. I read them to you here a few moments ago.

Mr. President, I would be satisfied if this matter were taken to—I forget that fellow who is running on the Republican ticket— and Dick Dilworth and let both of them answer to the public press.

Mr. WATKINS. Mr. President, I do not want to prolong this argument, but I find that for once in my life we do have a chance to say something about how Philadelphia will operate this Charter. We, in Delaware County, pay taxes to Philadelphia. We have no opportunity to vote and this time I feel as though, with the power vested in me by the people of Delaware County, I do want to vote this time and I want to vote for this amendment. We will not have a packed Charter Commission. We will have Republicans on it, and maybe we will be able to talk to the Republicans and get something for the money which we spend in Philadelphia.

Mr. SILVERT. Mr. President, I think Senator Stiefel's

suggestion that the amendments be withdrawn at this time and the bill go over in order so as to give an opportunity to Philadelphians, including the candidates for Mayor in both parties, to express an opinion on these amendments is a very sound suggestion and certainly would be in compliance with the philosophy of home rule.

I, therefore, ask Mr. Mahany if he will withdraw his amendments at this time and have the bill go over in order and go through with the procedure suggested.

Mr. MAHANY. Mr. President, the gentleman knows that if these amendments are adopted, we will have the bill on third reading and final passage tomorrow, for which we expect to have a representative group here in the Senate of both Democrats and Republicans to vote on this bill. Inasmuch as it has been amended, the House will have another opportunity, and if they do not like our amendments they can non-concur and at that time we then will have the benefit of the opinion of both, perhaps, Dilworth and our man Longstreth. If they are dissatisfied, we can always recede from our amendments or we can insist, and then it will be thrown into a conference committee.

We feel that we want to vote on these amendments at the present time, Mr. President. We feel that they are fair amendments. I have offered to remove one of the objections; that is, that the President of Council may act jointly with the Mayor but, evidently, that will not remove all their objections. Therefore, inasmuch as they are not satisfied anyway, I will insist on the amendments and ask that we vote on them.

Mr. BARR. Mr. President, Senator Mahany is using the word "they" rather collectively. I will agree to take out that amendment, very definitely, because I believe in representative government. I think that the President of City Council, who has knowledge of what the other councilmen need, who are the legislative branch of the government down there, should have something to say about who is on the Charter Commission. I think that is good government.

Mr. MAHANY. Mr. President, we can take out that part of the amendment in the conference committee. If they would want to go along with the rest of it, and that would remove all of their objections, that would be one thing, but they would still have objections to it so I do not see how it is going to help any by removing that particular part of the amendment.

Mr. STIEFEL. Mr. President, I wonder whether this occurred to my friend. Under the terms of this act, Mayor Clark will appoint all the members of the commission. Therefore, what good will this amendment be? Mr. Longstreth has no chance.

And the question recurring,

Will the Senate agree to the amendments?

Mr. DENT. I ask for a roll call, Mr. President.

Mr. BARR. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. DENT and Mr. BARR and were as follows, viz:

YEAS—25

Berger,	Kessler,	Pechan,	Van Sant,
Blass,	Kopriver, Jr.	Peelor,	Wade,
Chapman,	Madigan,	Propert,	Watkins,
Diehm,	Mahany,	Scott,	Watson,
Flack,	Mallery,	Stevenson,	Whalley,
Fleming,	McPherson, Jr.	Taylor,	Wolfe,
Harney,			

NAYS—15

Barr,	Donolow,	Lane,	Seyler,
Camiel,	Haluska,	McGinnis,	Silvert,
Dent,	Hays,	Miller,	Stiefel,
Derk,	Holland,	Schmidt,	

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1105, Printer's No. 531, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1332, as follows:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by regulating the salary of mine inspectors

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-52 P. L. 1908) is hereby further amended to read as follows

Section 1 The salary of mine inspectors under the jurisdiction of the Department of Mines of this Commonwealth shall be [seven thousand five hundred dollars ($7500) per annum] eight thousand five hundred dollars ($8500) per annum together with the necessary expenses incidental to the performance of their duties under the law which money shall be paid in the manner now provided by law.

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, House Bill No. 1332, deals with increasing the salaries of the mine inspectors in the anthracite fields. Those of us on this side of the house have for many years recognized the need of increasing the salaries of these men. The Secretary of the Department of Mines has agreed and prepared legislation increasing the salary from $7,500 to $8,100 per year. The bill passed the House in that form. Now for some

unknown reason the Committee on Mines and Mining amended the bill to read $8,500 per year. Even that amount is not enough, and I would like to see it read $10,000 per year.

However, this does not come in good faith. I have listened here now for ten months about cutting down the budget, cutting down appropriations, no tax program, and then in the same breath my Republican colleagues amend this bill increasing it to provide higher salaries and making no provision whatsoever for appropriations. This increase will cost the department some $25,000 and unless the department is granted more money, this bill will be futile. The Department of Mines cannot, under their budget, increase these salaries. Therefore, this does not come in good faith whatsoever.

Mr. President, it is so easy to vote for appropriations and salary increases, but we also have the responsibility of supplying that money. I am wondering whether or not my colleagues on the right side of the house are willing to appropriate more moneys to meet this mandate. They must; otherwise, the bill will pass and the Department of Mines will find itself in the position of not being able to pay the mandated salary increase. If you keep on making increases in salaries and cutting down on appropriations, we will be here for another two years.

Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. HALUSKA. Senator Mahany, do you have knowledge of the fact that this bill has been amended since it reached the Senate, increasing the proposed increase from $8,100 to $8,500 per year?

Mr. MAHANY. It would appear as though it had, Senator. It would appear as though it had from the reading on page two of the bill.

Mr. HALUSKA. Do you know whether or not there has been an appropriation made of any kind to meet this increased mandate?

Mr. MAHANY. We have not received the general appropriation bill, Senator. The House, in its wisdom, seems to be holding on to that for some reason.

Mr. HALUSKA. Is it your intention to increase the appropriation to this Department to take care of this matter?

Mr. MAHANY. Well, if we act like you have for the past Sessions we probably will not, but we are not going to do that. We figured that if we increased these costs, we will have to find the money to do it. You folks over there have been used to voting for increased appropriations without voting for any taxes, but we evidently cannot do that this Session.

Mr. HALUSKA. You are speaking generally, is that right?

Mr. MAHANY. Well, no, that has pretty much been the rule.

Mr. HALUSKA. I see. Then, we are to understand that if we vote for this measure, the Department will receive sufficient money to pay the increase; is that correct?

Mr. MAHANY. We will have to put that in the appropriation. Yes, we have tried to be honest with this thing. We know that if we vote for this bill to increase the cost of the Mining Department, we will have to give them the money to operate with.

Mr. HALUSKA. Does that not hold true throughout the entire Hill here in other departments?

Mr. MAHANY. Yes, Senator. Any salary bills or whatnot that we pass, we understand we have the obligation and responsibility of seeing to it that the Governor has sufficient funds to pay the amounts which we set forth in this legislation.

Mr. HALUSKA. That is fine, then. I think we are all happy to pass this bill, but we want to be sure in passing the bill that my colleagues will, in committee, take care of the appropriation to meet the demands.

Mr. HOLLAND. Mr. President and gentlemen, I do not think that the statements made by the Majority Leader are in good faith. First of all, the Republican party was in power for sixteen years and, although they made increases in salary in the Department of Mines to other employees, they made no effort at any time to increase the salary paid to the inspectors. Now the Majority Leader comes in and states that he will vote for the taxes to pay for this increase, which is considerably more than $25,000 when you take the complete increase of the salaries in all of these bills. I think that this is what might be called just plain, ordinary out-and-out fakery, deceit of the worse type.

In a pious manner, and in a pious voice, he tries to approach this problem as though he is the height of honesty and piety while at the same time, when he was formerly a leader of this house, he made no attempt to give the inspectors any more money. All that he is attempting to do is to not agree with the agreement made by the Department of Mines as to what increase they should get. Now he wants to increase the department's appropriation. I see that his stool pigeons are now giving him some coaching on the side line. I hope that it is good advice.

Mr. MAHANY. Now, Senator, you are going to have another heart attack.

Mr. HOLLAND. Thank God, there is nothing wrong with my heart, but I think I could diagnose you and tell you what is wrong with you but I would not be able to put it in print.

Mr. President, this is plain, ordinary deceit. It is just playing a game. It is an undercover manner to increase the budget. He has no intention of voting for any more taxes unless he votes for the taxes which Mr. Owlett told him he must vote for. His hands are tied; he cannot think because he has his orders. Therefore, to come before us at this late hour and say he will vote for increased appropriations is just being deceitful. I might add, Mr. President, that the idea of these long sessions at night is only done for one reason. The Republican Party realizes that by keeping people in here all hours, they lose the effect. Most of the Republicans are mad and most of the Democrats are mad because now they will not be able to eat in the hotels, and we do not get good deliberation on legislation. It is deliberation which is being pushed and hurried.

When you consider the number of hours we have spent in the General Assembly, due to the Majority Leader, who after all is running the Senate and determines the time we spend here, and it is up to him. He keeps people here after hours when people are tired and hungry and cannot

give proper deliberation to the legislation. I think it is done with only one pattern in mind and that is to destroy the deliberation in the Senate, and I think the Majority Leader is a party to it. I think it is being handled very astutely by him through the way he tries to make the people think he is an honest man and he is trying to do the honest thing and, at the same time, I believe that all the attempts and all of the overtures by the Majority Leader are dishonest.

POINT OF ORDER

Mr. FLEMING. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Fleming, will state his point of order.

Mr. FLEMING. Mr. President, the gentleman is not speaking on the bill. I am in accord with him as I would like to get out of here, too, but he is not speaking on the bill at the present time.

Mr. MAHANY. Mr. President, if the gentleman is finished, I desire to interrogate the gentleman from Allegheny, Senator Holland.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Holland, permit himself to be interrogated?

Mr. HALLAND. I will, Mr. President.

Mr. MAHANY. Senator Holland, you were a bit out of order but I did not object to it, so this question is a little bit out of order, too, perhaps.

Were you near the vicinity there where you are now standing, near Senator Dent, when at six-thirty o'clock, Daylight Time, I came over to him and asked him if he would not like to recess so that we might take an hour and a half or so to go out and get something to eat, and did you hear his answer to me? Did you hear him turn me down and say that we were going to keep on here and we were not going to take time off to eat?

Mr. HOLLAND. You know, I would rather have him answer that question.

Mr. MAHANY. Well, did you hear it?

Mr. HOLLAND. I would rather have Mr. Dent answer that question.

Mr. MAHANY. Well, now, did you hear him say that he did not want to take a recess for dinner?

Mr. HOLLAND. I think Mr. Dent is big enough to answer that question himself. I do not think he needs my help. You may need the help of the Senator from Allegheny County, but Mr. Dent does not need my help.

Mr. MAHANY. Evidently, Mr. President, the gentleman does not choose to answer because he knows that the answer would be "yes". He did hear me go over and state to Senator Dent that I would like to take an hour and a half or two hours off for dinner and that offer was made at six-thirty o'clock, Daylight Time, and he heard the Minority Leader say "no", and he insisted that we stay in session and go through the calendar.

Why he accuses me now of keeping him here, with pains in his stomach and his ulcers, is more than I can see but it proves that that part is just as unfair as the rest of his statement.

Mr. HOLLAND. Mr. President, I would like to add one thing. In Allegheny County, at the present time, the Republican Party is demanding that men who are running for office must carry a doctor's certificate. The four days which I spent in the clinic in Allegheny County was done for that purpose, so that I could get a doctor's certificate on my health. Therefore, in case any Republicans bring up the fact any time that I am not physically able to run, I can show them my doctor's certificate.

Mr. DENT. Mr. President, yes, I did turn down, as far as I was personally concerned, the proposition of a recess because it was proposed that we recess for an hour and a half. There is not a person in this room who can go down to either one of the hotels in this town on a Monday night at six-thirty, with a convention in town or even an ordinary Monday night at six-thirty, and expect to get out of there with a meal, wash up a little and get back up on this Hill at eight o'clock.

We have been here almost nine months. Eighty per cent of the bills which are out on this calendar today have been in committees anywhere from two months to six months. I suggested that we put over the non-controversial bills tonight and we take up the controversial ones tomorrow morning when we all have plenty of time. However, for some unknown reason, someone just suddenly got ants in their pants and they are now going to try to push through tonight certain pieces of legislation.

Mr. President, I told them what would happen to that legislation; as sure as they are alive it will happen. A recess until nine o'clock would not have meant anything, because unless all of your votes were here you would not have started anyway. I was told by at least two of your members that their wives were out at Hershey and they would like to go out and have dinner with their wives, and I do not blame them. It was out of consideration for them that I did not think that anything on this calendar is so pressing that we had to stay here tonight. However, if we have to stay, we will stay.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senator having voted "aye," the question was determined in the affirmative.

Ordered, that the Clerk return said bills to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1333, as follows:

An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about

coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor" by further regulating the salary of the first aid and mine rescue instructors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor" as last amended by the act approved the nineteenth day of January one thousand nine hundred fifty-two (1951-52 P. L. 2174) is hereby further amended to read as follows

Section 4 The first aid and mine rescue instructors shall receive a salary [of four thousand nine hundred eighty-nine ($4989 per annum] of five thousand three hundred eighty-eight dollars ($5,388) per annum together with the necessary expenses incidental to the performance of his duties under the law Except however one member of the crew manning each truck shall be termed chief of crew and shall receive a salary [of five thousand five hundred forty-three dollars ($5543) per annum] of five thousand nine hundred thirty-two dollars ($5,932) per annum together with the necessary expenses incidental to the performance of his duties under the law and shall be responsible for the orderly conduct of the work to be performed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senttors having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for two hours. For the purpose of having dinner.

Mr. BERGER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, before we vote on that motion, I would like to ask Senator Mahany whether we are going to debate the school bills tonight.

Mr. MAHANY. Yes, Senator Barr, if there is to be any debate. I do not anticipate what you are going to do over there. I only know what I read in the newspapers.

Mr. BARR. I think, Mr. President, we should give more consideration to Senator Wagner, who is not here today. I am sure that he would wish to be here to vote on Senator Seyler's amendments, which he is going to offer. I think, out of consideration to Senator Wagner, that bill should be put over until tomorrow.

Mr. MAHANY. Mr. President, the only question before us is whether or not we take a recess for two hours to do the thing which Senator Holland said I was opposed to.

Mr. DENT. Mr. President, I am wondering whether the gentlemen on the other side would agree that since all of this is so important, they be recorded the way they want to, and the rest of us be recorded the way we want, and Senator Mahany and I will just stay and go through the Calendar.

Mr. MAHANY. That is all right with me, Mr. President.

Mr. DENT. That is what is going to happen anyway. Let the gentlemen go out.

Mr. MAHANY. The gentleman knows that would be out of order.

Mr. DENT. It is not any more out of order than what you are doing.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his point of information.

Mr. DENT. Will the Chair state, for the benefit of the Senate, what constitutes a quorum of this Senate?

The PRESIDENT. Twenty-six Members.

Mr. DENT. Thank you, very kindly.

And the question recurring,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, if there is no quorum, we will send out for the gentlemen if that is what the gentlemtn from Westmoreland wants.

Mr. DENT. If you can find me, you will be good.

And the question recurring,

Will the Senate agree to the motion?

Mr. HALUSKA. I ask for a roll call, Mr. President.

Mr. LANE. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. HALUSKA and Mr. LANE, and were as follows, viz:

YEAS—27

Berger,	Harney,	McPherson, Jr.,	Van Sant,
Blass,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Watkins,
Diehm,	Kopriver, Jr.,	Propert,	Watson,
Flack,	Madigan,	Scott,	Whalley,
Fleming,	Mahany,	Stevenson,	Wolfe,
Haluska,	Mallery,	Taylor,	

NAYS—10

Barr,	Derk,	McGinnis,	Schmidt,
Camiel,	Hays,	Miller,	Stiefel,
Dent,	Lane,		

So the quesiton was determined in the affirmative.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1338, as follows:

An Act to further amend the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by regulating the salary of electrical inspectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-52 P. L. 1942) is hereby further amended to read as follows

Section 2 The persons appointed to the position of electrical inspector shall not be under 30 or over 50 years of age on the date of their appointment They shall be citizens of this Commonwealth and shall devote their whole time and attention to the duties of their office They shall have had five years experience in gaseous mines of this Commonwealth as electrician or electrical engineer and shall be conversant with the laws and regulations governing the installation and operation of electrical equipment in and around coal mines The electrical inspector shall receive a salary [of six thousand six hundred fifty-two dollars ($6,652) per annum] of seven thousand one hundred eighty-four dollars ($7,184) per annum together with the necessary expenses incidental to the performance of his duties under the law Such salaries and expenses shall be paid from the appropriation made for the payment of the salaries and expenses of the mine inspectors

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 1350, on third reading, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in the borough.

be recommitted to the Committee on State Government.

Mr. WATSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1363, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey fifteen acres of land in East Norriton Township Montgomery County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at the fair market value to the school District of East Norriton Township the following described tract of land presently under the jurisdiction of the Norristown State Hospital and situate in the Township of East Norriton County of Montgomery and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a point on the southerly side of Germantown Pike said point being south 43 degrees 56 minutes 40 seconds west a distance of 27.18 feet from a point on the center line of said Germantown Pike which is 110.03 feet along said center line from the center line of North Wales Road thence south 43 degrees 56 minutes 40 seconds west along a farm road a distance of 878.68 feet to a point thence north 69 degrees 8 minutes 20 seconds west a distance of 636.08 feet to a point thence north 20 degrees 51 minutes 40 seconds east a distance of 808.33 feet to a point on the southerly side of Germantown Pike thence south 69 degrees 8 minutes 20 seconds east a distance of 980.58 feet along the southerly side of said Germantown Pike to the place of beginning containing 15 acres

The conveyance shall be made under and subject to all easements servitudes and rights of way including but not confined to streets road-ways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject to any estates or tenancies vested in third persons whether or not appearing of record for any portion of the land or improvements erected thereon

The conveyance shall be made subject to the condition that if the property ceases to be used for school purposes

the title thereto shall revert to the Commonwealth of Pennsylvania the conveyance shall also be made subject to the condition that the purchaser shall fence the boundary between the parcel of land purchased and the remaining land under the jurisdiction of the Norristown State Hospital with an adequate protective fence for the benefit of the patients of the hospital as well as the public

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1425, as follows:

An Act amending the act of July 15 1897 (P L 287) entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth and to provide for the examination of persons seeking employment as miners in the anthracite region and to prevent the employment of incompetent persons as miners in anthracite coal mines and providing penalties for a violation of the same" establishing Miners Examining Boards in certain counties decreasing the number of miners on each board and changing the method of their appointment increasing the compensation of board members changing certain powers of the boards and members thereof and increasing examination fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 2 3 4 and 5 act of July 15 1897 (P L 287) entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth and to provide for the examination of persons seeking employment as miners in the anthracite region and to prevent the employment of incompetent persons as miners in anthracite coal mines and providing penalties for a violation of the same" are amended to read

Section 2 That there shall be established in each of [the eight inspection districts in the anthracite coal region] the counties of Luzerne Lackawanna Carbon Schuylkill and Northumfberland a board to be [styled] known as the "Miners Examining Board" [of the ..... district] to consist of [nine] three miners who shall be appointed [in the same manner as the boards to examine mine inspectors are now appointed] by the judges of the court of common pleas of the county from among the most skilled miners actually engaged in said business in their respective [districts and] county who must have had five years practical experience in the same The said persons so appointed shall each serve for a term of two years from the date on which their appointment takes effect [and they shall be appointed upon or before the expiration of the term of the present members of the "Miners Examining Board" and they shall be and constitute the "Miners Examining Board" for their respective districts and shall hold the office for the term for which they were appointed or until their successors are duly appointed and qualified and shall receive as compensation for their services three dollars per day for each day actually engaged in this service and all legitimate and necessary expenses incurred in attending the meetings of said board under the provisions of this act and no part of the salary of said board or expenses thereof shall be paid out of the State Treasury] Each member of the Examining Board shall receive as compensation for his services twenty dollars ($20) per day for each day actually engaged in this service and all legitimate and necessary expenses incurred in attending the meetings of the board under the provisions of this act The members of the boards shall submit monthly statements approved by the president of the board setting forth the number of days during which each member has actually been in attendance at the sessions of the board together with any expenses that may have been incurred to the Secretary of Mines who upon approval of the statements shall submit them to the State Treasurer for payment

Each of said boards shall organize by electing one of their members president and one member as secretary [and by dividing themselves into three sub-committees for the more convenient discharge of their duties each of said committees shall have all powers hereinafter conferred upon the board and whenever in this act the words "Examining Board" are used they shall be taken to include any of the committees thereof

Every member of said board shall within ten days of their appointment or being appraised of the same take and subscribe an oath or affirmation before a properly qualified officer of the county in which they reside that they will faithfully and impartially discharge the duties of their office

Any vacancies occurring in said board sall be filled in the manner hereinbefore provided from among such only as are eligible for original appointment]

Section 3 Each of said examining boards shall designate some convenient place within their districts for the meeting of the [several committees thereof of which due notice shall be given by advertisement in two or more newspapers of the proper county and so divided as to reach as nearly as practicable all the mining districts therein] board but in no case shall such meeting be held in a building where any intoxicating liquors are sold

Each of said [committees] boards shall open at the designated place of meeting a book of registration in which shall be registered the name and address of each and every person duly qualified under this act to be employed as a miner in an anthracite coal mine And it shall be the duty of all persons employed as miners to be properly registered and in case of a removal from the district in which a miner is registered it shall be his duty to be registered in the district to which he removes

Application for registration only may be sent by mail to the board after being properly attested before any person authorized to administer an oath or affirmation in the county in which the applicant resides The form of application shall be subject to such regulation as may be prescribed by the boards but in no case shall any

applicant be put to any unnecessary expense in order to secure registration

Section 4 Each applicant for examination and registration and for the certificate hereinafter provided shall pay a fee of [one dollar] two dollars to the said board and a fee of [twenty-five cents] one dollar shall be charged for registering any person who shall have been examined and registered by any other said board and the amount derived from [this source shall be held by said boards and applied to the expenses and salaries herein provided and such as may arise under the provisions of this act and the said boards shall report annually to the court of common pleas of their respective counties and the Bureau of Mines and Mining all moneys received and disbursed under the provisions of this act together with the number of miners examined and registered under this act and the number who failed to pass the required examination] these sources shall be forwarded monthly to the Secretary of Mines who upon receipt of same shall submit the amount of moneys obtained from the boards to the State Treasurer to be applied to the salaries and expenses herein provided

Section 5 That it shall be the duty of each of the said boards to meet once every month and not oftener and said meeting shall be public [and if necessary the meeting shall be continued to cover whatever portion may be required of a period of three days in succession] and examine under oath all persons who shall desire to be employed as miners in their respective districts and said board shall grant such persons as may be qualified certificates of competency or qualification which shall entitle the holder thereof to be employed as and to do the work of miners as may be expressed in the said certificate and such certificate shall be good and sufficient evidence of registration and competency under this act and the holder thereof shall be entitled to be registered without an examination in any other of the anthracite districts upon the payment of the fee herein provided

All persons applying for a certificate of competency or to entitle them to be employed as miners must produce satisfactory evidence of having had not less than two years practical experience as a miner or as a mine laborer in the mines of this Commonwealth and in no case shall an applicant be deemed competent unless he appear in person before the said board and answer intelligently and correctly at least twelve questions in the English language pertaining to the requirements of a practical miner and be properly identified under oath as a mine laborer by at least one practical miner holding miners' certificates The said board shall keep an accurate record of the proceedings of all its meetings and in said record shall show a correct detailed account of the examination of each applicant with the questions asked and their answers and at each of its meetings the board shall keep said record open for public inspection Any miner's certificate granted under the provisions of this act and the hereinafter mentioned act approved the ninth day of May Anno Domini one thousand eight hundred and eighty-nine shall not be transferable to any person or persons whatsoever and any transfer of the same shall be deemed a violation of this act Certificates shall be issued only at meetings of said board and said certificates shall not be legal unless then and there signed in person by at least [three] two members of said board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	M Menamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 1426, as follows:

An Act amending the act of June 2 1891 (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" increasing the compensation of members of the examining boards

The General Assembly of the Commonwealth of Pennvania hereby enacts as follows

Section 1 Section 3 of article VIII act of June 2 1891 (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" amended June 25 1947 (P. L. 966) is amended to read

Section 3 For the purpose of examination of candidates for such certificates a board of examiners shall be appointed in each of the inspection districts provided for by this act The said board shall consist of the district inspector of mines two (2) practical miners and one owner operator or superintendent of a mine The said inspector shall act ex-officio and the said engineer and owner operator or superintendent shall be appointed in like manner and at the same time as the boards of examiners for candidates for mine inspectorship under this act are now appointed The said board shall act as such for the period of one year from the date of their appointment Meetings of the board may be held at any time and they may make such rules and conduct such examinations as in their judgment may seem proper for the purpose of such examinations The said board shall report their action to the Secretary of the Department of Mines and at least three (3) of the members thereof shall certify to the qualification of each candidate who has passed such examination The traveling expenses of the members of such board to and from their place of meeting together with the sum of [ten] twenty dollars per day each to the said two (2) practical miners and owner operator or superintendent members of each board for each day they are actually engaged therein not exceeding ten (10) days in all during the year shall be paid by the Commonwealth on an order of the Auditor General drawn on the State Treasurer upon the certificate of the mine inspector member of such board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,

Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 1501, on third reading entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey real property situate in the Borough of West Chester Chester County.

be recommitted to the Committee on State Covernment.

Mr. HARNEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1511, as follows:

An Act relating to reciprocal agreements for the interstate transportation and support of the mentally ill.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Reciprocal Agreements The Department of Welfare subject to the approval of the Attorney General is hereby authorized to enter into reciprocal agreements with corresponding state agencies of other states regarding the interstate transportation or transfer of persons with mental illness or defect and to arrange with the proper officials in this State for the acceptance transfer and support of persons who are residents of this State but who are temporarily detained or who are receiving psychiatric or mental care in public institutions of other states in accordance with the terms of such agreements.

Section 2 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact it.

Section 3 Effective Date This act shall take effect immediately.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

MOTION THAT BILL BE RE-REFERRED

Mr. BARR. Mr. President, I move that House Bill No. 1512, on third reading, entitled:

An Act authorizing cooperative return of parole and probation violators and the making of contracts or deputization of persons pursuant thereto.

be re-referred to the Committee on Judiciary General.

Mr. HALUSKA. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, the gentleman from Crawford, Senator Mahany, can oppose this motion. However, if he does,I am going to invoke my constitutional right and have every bill read at length in the Session tonight.

Mr. MAHANY. Mr. President, the gentleman from Allegheny, Senator Barr, gave no reason for wanting this bill Re-referred. Ordinarily, concerning a bill such as this, when he asks that it be re-referred, he should have certain reasons for it.

Mr. BARR. Mr. President, the gentleman's words are well taken. I would like to know the reasons for recommitting the—I forget the numbers—bills which have been recommitted in the last few moments.

Mr. President, I would like to ask the gentleman from Crawford, Senator Mahany, why House Bill No. 1350 was recommitted. I did not hear any reasons given.

Mr. MAHANY. Mr. President, House Bill No. 1350 is not now before us. If the gentleman had asked me for reasons at the time it was before us, I should have been glad to give them to him.

Mr. BARR. Mr. President, I still insist that all bills are read at length if the gentleman is going to hide behind a weak argument such as that.

Mr. MAHANY. Mr. President, it is not the threat which bothers me so much because if the gentleman wishes to read bills at length, we are perfectly willing to do so. However, if the gentleman had some reason that he wanted to have this bill re-referred, I would not oppose his motion. If he would just give me some reason why he wants to see this bill go back to committee, I will consider it.

Mr. BARR. I wish it to be re-referred for the same reason that Senator Mahany recommitted House Bill No. 1350.

Mr. MAHANY. As I said before, we had our reasons for recommitting House Bill No. 1350. If there is any question as to why any of these bills are recommitted, we will be happy to explain the reasons why. We have our reasons, but just for Senttor Barr to arise and make a motion to re-refer a bill and because I protest the motion, he should threaten to stage some kind of a filibuster, I think that is certainly out of order.

Mr. BARR. I have my reasons for wanting House Bill No. 1512 re-referred.

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Barr.

The PRESIDENT. Will the Gentleman from Allegheny, Mr. Barr, permit himself to be interrogated?

Mr. BARR. I will, Mr. President.

Mr. MAHANY. Senator Barr, do you have just one good reason, such as for further study and possible amendment, that you would like to have this bill go back to committee?

Mr. BARR. Yes, Mr. President, I do. There was a meeting at Bretton Woods some few weeks ago of the Attorneys General of the forty-eight States. Things such as this were brought up at that meeting, and I want to talk to the Attorney General before I vote on this bill.

Mr. MAHANY. Mr. President, that sounds like some kind of a reason, and, therefore, I will withdraw my objections.

Mr. President, I might mention that the bill did not come out of the Judiciary General Committee. It came out of the Committee on State Government. Therefore, I would like to have my friend, Senator Barr, change his motion and have the bill recommitted to the Committee on State Government.

Mr. BARR. Mr. President, I will be very reasonable. I will accept that amendment, but I do think the bill should have been in the Judiciary General Committee in the beginning.

MOTION TO RE-REFER AMENDED AND BILL RECOMMITTED

Mr. BARR. Mr. President, I am willing to amend my motion, and I now move that House Bill No. 1512, Printer's No. 599, be recommitted to the Committee on State Government.

Mr. HALUSKA. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1534, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to accept a tract of land and buildings thereon erected in the Borough of California Washington County Pennsylvania containing 25.609 acres for the use of the California State Teachers' College

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized to accept from the Students Activities Association Inc as a gift in the name of the Commonwealth of Pennsylvania for use of the California State Teachers' College a tract of land with buildings thereon in the Borough of California Washington County Pennsylvania bounded and described as follows

Beginning at an iron pin at the eastern side of a public road thence along land now or formerly of the Ruth Jane Elliott Estate south 62 degrees 32 minutes east 720.00 feet to an iron pin thence south 36 degrees 16 minutes west 1700.94 feet to an iron pin thence north 53 degrees 44 minutes west 897.81 feet to an iron pin in the public road thence along the road north 48 degrees 55 minutes east 320.00 feet to a stone thence south 78 degrees 04 minutes east 297.34 feet to an iron pin thence north 28 degrees 38 minutes east 1166.59 feet to an iron pin the place of beginning

Containing 25.609 acres more or less of land according to a survey made May 20 1955 by A M Shaffer registered surveyor to which survey reference is hereby specifically made

And being part of the same land conveyed to the Student Activities Association Inc by deed of James F Elliott and Edna B Jones Executors of the Estate of Ruth Jane Elliott deceased dated January 1 1940 and recorded January 1 1940 in Washington County Deed Book Volume 503 at page 144

Section 2 The land shall not be accepted until its title has been approved by the Department of Justice

Section 3 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. DENT. Mr. President, I want the record to show that there is an error in this bill, in which it said, "Washington County Pennsylvania containing 25,609 acres." That is incorrect. It is 25.609 acres, in order that there be no misunderstanding.

Mr. MAHANY. Mr. President, we have checked that and the wording in the bill is correct. We have so much trouble placing our decimal points in the various numbers which you and I have been working on the last few weeks that I do not blame you any for taking a look at this one. However, this, in the bill itself, does say 25.609 acres.

Mr. DENT. I am grateful for that, Mr. President. I am not so worried about the decimal points; it is the exclamation points that worry me.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, in order to expedite matters, I might explain that we are about to move that House Bill No. 1537, House Bill No. 1538, House Bill No. 1539, House Bill No. 1540 and House Bill No. 1541 be placed on the Third Reading Postponed Calendar. The reason for this is that at the present moment, there is an investigation going on out at Morganza, and we felt that it would be the better part of judgment to wait until the investigation is completed and then at that time move these bills one way or the other.

THIRD READING CALENDAR

BILLS POSTPONED

Mr. HALUSKA. Mr. President, I move that House Bill No. 1537, on third reading, entitled:

An Act authorizing Department of Property and Supplies with the approval of the Governor to sell and convey 50.6 acres more or less of land situate in Cecil Township Washington County

be placed on the Third Reading Postponed Calendar.

Mr. CAMIEL. Mr. President, I second the motion.

The motion was agreed to.

Mr. HALUSKA. Mr. President, I move that House Bill No. 1538, on third reading, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 90 acres more or less of land situate in North Strabane Township Washington County

be placed on the Third Reading Postponed Calendar.

Mr. CAMIEL. Mr. President, I second the motion.

The motion was agreed to.

Mr. HALUSKA. Mr. President, I move that House Bill No. 1539, on third reading, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 40 acres more or less of land situate in Cecil Township Washington County

be placed on the Third Reading Postponed Calendar.

Mr. CAMIEL. Mr. President, I second the motion.

The motion was agreed to.

Mr. HALUSKA. Mr. President, I move that House Bill No. 1540, on third reading, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 64 acres more or less of land situate in Cecil Township Washington County.

be placed on the Third Reading Postponed Calendar.

Mr. CAMIEL. Mr. President, I second the motion.

The motion was agreed to.

Mr. HALUSKA. Mr. President, I move that House Bill No. 1541, on third reading, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 117 acres more or less of land situate in Cecil Township Washington County.

be placed on the Third Reading Postponed Calendar.

Mr. CAMIEL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1548, as follows:

An Act amending the act of May 31 1923 (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" increasing compensation of board members and of the committee of six

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 act of May 31, 1923 (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire boses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" amended May 31 1947 (P. L. 367) is amended to read

Section 4 Each board member shall receive [ten dollars ($10)] twenty dollars ($20) a day for each day actually employed not exceeding fifteen days in all and mileage at the rate of [five] seven cents a mile for each mile necessarily traveled in going from his home to the place of meeting and return by the shortest practicable railway route The committee of six shall receive additional compensation at the rate of [ten] twenty dollars a day and mileage at the rate of [five] seven cents a mile while preparing the questions and answers Each member shall also be reimbursed for all other necessary expenses incurred in the discharge of his duties Each board of examiners is hereby authorized to employ the services of a clerk whose compensation and rate of mileage shall be the same as that of members of the board The clerk of each board shall on final adjournment send to the Chief of the Department of Mines properly attested vouchers for compensation and expenses of each member of the board and also a voucher covering his own compensation and expenses which vouchers shall be approved by the chairman and the secretary of the board The Chief of the Department of Mines shall then approve said vouchers and transmit them to the Auditor General who shall issue warrants on the State Treasurer for their payment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays.	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1549, as follows:

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the per diem compensation and mileage rate of the members and secretary of the Anthracite Mine Inspectors' Examining Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 424 act of April 9 1929 (P. L. 177) known as "The Administrative Code of 1929" amended May 8 1947 (P. L. 158) is amended to read

Section 424 Anthracite Mine Inspectors' Examining Board The Anthracite Mine Inspectors' Examining Board shall consist of the Secretary of Mines two mining engineers who shall have had at least five years' experience in the anthracite mines of Pennsylvania and three members who shall be coal miners in actual practice and who shall have had at least five years' practical experience in the anthracite mines of Pennsylvania

All members of the board shall be at least thirty years of age and shall be appointed by the Governor

The Secretary of Mines shall be chairman of the board

The board shall elect a secretary who need not be a member of the board

Each member of the board other than the Secretary of Mines shall receive [fifteen] twenty dollars per diem while actually engaged in the performance of the work of the board and the secretary shall receive like compensation Provided That the Secretary of Mines shall have the right to determine from time to time the maximum number of days for which the members of the board and the secretary entitled thereto shall receive compensation

The members of the board and the secretary shall receive mileage at the rate of [five cents (5¢)] seven cents for each mile actually traveled going from the home of the member to the place of meeting of the board and returning therefrom and such other necessary traveling expense that may be incurred in connection with the work of the board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1550, as follows:

An Act amending the act of April 29 1937 (P L 551) entitled "An act prohibiting the employment of miners as herein defined in the bituminous coal mines unless certificated by a miners' examining board providing for the appointment of such boards and defining their powers and duties providing penalties and making an appropriation" increasing per diem compensation of members of miners' examining boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 act of April 29 1937 (P L 551) entitled "An act prohibiting the employment of miners as herein defined in the bituminous coal mines unless certificated by a miners' examining board providing for the appointment of such boards and defining their powers and duties providing penalties and making an appropriation" amended in part June 24 1939 (P L 867) is amended to read

Section 2 The Secretary of Mines with the approval of the Governor shall appoint as many miners' examining boards as may be deemed necessary but not exceeding five in number each board to be composed of three practical and experienced dituminous miners who shall have had at least ten years experience in the bituminous mines of this Commonwealth and who shall be at least thirty years of age Each member of an examining board shall hold office at the pleasure of the appointing authority

The boards first appointed shall have authority to issue to their respective members the certificates of competency required by this act without examination

The boards first appointed shall be so located by the Secretary of Mines as to meet the needs of the various regions in which bituminous coal is mined

selection of one of its members as chairman and one as

Each miners' examining board shall organize by the secretary All records reports books and papers of a board shall be kept by the secretary who shall also be furnished with a seal by the Department of Mines

Each member of a miners' examining board shall be entitled to compensation at the rate of [ten] twenty dollars for each day of seven hours necessarily employed and all necessary and legitimate expense incurred in the discharge of his duties which compensation and expenses shall be paid from appropriations made for such purposes

The number of miners' examining boards may be reduced at the pleasure of the Secretary of Mines after the first day of March one thousand nine hundred and thirty-eight Provided That when in the opinion of the Secretary of Mines a sufficient number of miners have been certificated to amply supply the demands of the bituminous mines of this Commonwealth he shall suspend entirely the activities of the miners' examining boards and direct that any additional miners shall be examined and granted certificates by the district mine foreman's examining boards under such rules and regulations as the Secretary of Mines shall prescribe This examination by the mine foreman's examining board shall be given with

the same rate of compensation and expenses as is now allowable to the mine foreman's examining board and a fee of one dollar ($1.00) shall be charged for the issuance of a certificate

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson.
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Repreesntatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1551, as follows:

An Act amending the act of April 9 1929 (P L 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other asistants and employes of certain departments boards and commissions shall be determined" increasing the per diem compensation and mileage rate of members and secretary of the Bituminous Mine Inspectors' Examinging Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 423 act of April 9 1929 (P L 177) known as "The Administrative Code of 1929" amended May 8 1947 (P L 158) is amended to read

Section 423 Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania The Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania shall consist of the Secretary of Mines two mining engineers who shall have had at least five years' experience in the bituminous mines of Pennsylvania and three members who shall have passed successfully examinations qualifying them to act as mine inspectors or mine foremen in bituminous mines generating explosive gas and shall have had at least five years' practical experience as miners in the bituminous mines of Pennsylvania All members of the board shall be at least thirty years of age and shall be appointed by the Governor

The Secretary of Mines shall be chairman of the board

The board shall elect a secretary who need not be a member of the board

Each member of the board other than the Secretary of Mines shall receive [fifteen] twenty dollars per diem while actually engaged in the performance of the work of the board and the secretary shall receive like compensation Provided That the Secretary of Mines shall have the right to determine from time to time the maximum number of days for which the members of the board and the secretary entitled thereto shall receive compensation

The members of the board and the secretary shall receive mileage at the rate of[five cents (5¢)] seven cents ((7¢) for each mile actually traveled going from the home of the member to the place of meeting of the board and returning therefrom and such other necessary traveling expense that may be incurred in connection with the work of the board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1555, as follows:

An Act to amend an act approved the twenty-second day of August one thousand nine hundred fifty-three (Appropriation Acts page 54) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three" by changing the amount appropriated to the Department of Public Instruction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The item making an appropriation to the Department of Public Instruction for reimbursing school districts of section two of the act approved the twenty-second day of August one thousand nine hundred fifty-three (Appropriation Acts page 54) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the suport of the

public schools for two years beginning June first one thousand nine hundred fifty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty three" as amended by the act approved the seventh day of April one thousand nine hundred fifty-five (Appropriation Act No 6A) is hereby amended to read as follows

Section 2 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive Legislative and Judicial Departments of the Commonwealth for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred fifty-three and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three

* * *

For reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for nonresident high school tuition and any other nonresident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of [three hundred thirty-eight million dollars ($338,000,000)] three hundred forty-eight million dollars ($348,000,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatievs with information that the Senate has passed the same without amendments.

REQUEST THAT BILL GO OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that House Bill No. 1572, Printer's No. 1040, on third reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. BERGER. May we be at ease a moment, Mr. President?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

REQUEST THAT BILL GO OVER IN ORDER WITHDRAWN

Mr. HALUSKA. Mr. President, I understand that my colleague from Potter, Senator Berger, has amendments to put in this bill. Therefore, I withdraw my request that House Bill No. 1572, Printer's No. 1040, go over in its order.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1572, entitled:

An Act relating to coal mining, well operations and the underground storage of gas and the safety of personnel and facilities employed therein; prescribing the rights and duties of well operators, before, during, and after the drilling of wells for the production, extraction or storage of any gas, petroleum or other liquid; regulating the underground storage of gas under workable coal seams; prescribing the rights and duties of owners and operators of coal mines in relation to wells and underground storage areas; granting certain corporations a limited right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas; creating the Oil and Gas Division of the Department of Mines and defining its personnel powers and duties; providing for hearings and the procedures to be followed therein and imposing duties upon the courts and providing methods for the enforcement of the provisions of this act and imposing penalties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President,I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 206, page 23, lines 2 and 3, by striking out both of said lines and inserting in lieu thereof: "shall be either filled or bridged and filled in the manner just described and at such point there shall be placed another similar plug of cement"; Amend Sec. 501, page 63, lines 14 and 15, by striking out both of said lines and inserting in lieu thereof; "a safe place for public inspection any map data report well log notice or other writing required to be filed with it pursuant to the provisions".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1572, Printer's No. 1040, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1628, as follows:

An Act making an apporpriation to the Department of Public Instruction for payments to school districts on account of rentals payable to municipal authorities and nonprofit corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six million seven hundred eleven thousand dollars ($6,711,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instructon for the payment to school districts on account of rentals paid by such school districts to municipal authorities and nonprofit corporations during the two fiscal years beginning June first one thousand nine hundred fifty-three as provided by law.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kopriver, Jr.,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Dent,	Kessler,	Propert,	Watkins,
Derk,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Schmidt,	Weiner,
DiSilvestro,	Madigan,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1630, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating registration of antique motor vehicles.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. Mr. President, on behalf of Senator Berger and myself, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 5 (Section 711.1), page 7, line 10, by striking out at the end of the line after the word "be" the following: "five ($5.00) dollars" and inserting in lieu thereof the following: "twenty ($20.00) dollars."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1676, as follows:

An Act authorizing townships of the first class in certain cases to convey to a volunteer fire company or association the townships' interest in real property upon approval of the court of common pleas of the county.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In any case where land and improvements thereon in a township of the first class have been conveyed to a trustee in trust for the use of a volunteer fire company or association until the time when the township should take over and assume the facilities for and duty of fire protection for the township and in such event to be conveyed to the township if the township commissioners determine that it is for the best interest of the township they may upon approval of the court of common pleas after a public hearing convey all right title and interest of the township in such real property to the volunteer fire company or association Notice of the public hearing shall be given by advertisement in at least two newspapers of general circulation in the county in which the township is located if so many are published or circulated therein once a week for two consecutive weeks prior to the hearing

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,

Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 382, Printer's No. 284, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair rears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 386, entitled:

An Act amending the act of March 26 1931 (P. L.8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" providing a fee for services in cases removed to any appellate court of this Commonwealth or to any court of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 535, entitled:

An Act prohibiting the imposition of wage income or occupation taxes by cities of the second class on nonresidents of the city and abolishing such taxes heretofore imposed.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendments:

Amend Section 1, page 1, line 2, by inserting after the word "class" and before the word "to" the following: "second class A third class borough incorporated town or township";

Amend Section 1, page 1, line 3, by striking out after the word "of" and before the word "city" the following: "the" and inserting in lieu thereof the following: "a";

Amend Section 1, page 1, line 3, by inserting at the end of the line after the word "city" the following: "borough incorporated town or township";

Amend Section 1, page 2, line 1, by inserting after the word "class" and before the word "before" the following: "second class A third class borough incorporated town or township";

Amend Section 1, page 2, line 2, by striking out after the word "of" and before the word "city" the following: "the" and inserting in lieu thereof the following: "a";

Amend Section 1, page 2, line 2, by inserting after the word "city" and before the word "are" the following: "borough incorporated town or township";

Amend Section 1, page 2, line 4, by inserting at the end of the line after the word "city" the following: "borough incorporated town or township."

On the question,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I desire to interrogate the sponsor of this bill, the gentleman from Allegheny, Senator Kopriver, to find out whether he understands what the amendments do.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Kopriver, permit himself to be interrogated?

Mr. KOPRIVER, JR. I will, Mr. President.

Mr. BARR. Senator Kopriver, do you understand what these amendments do?

Mr. KOPRIVER, JR. No. I have not had any chance to look over them. You did not give us a copy of them.

Mr. BARR. I think that the Majority Leader has a copy and I will give you a moment to look at the amendments. I think it will be very simple for you to comprehend them.

Mr. President, I would like to preface my interrogation of the Honorable Mayor of Duquesne with just two sentences from an editorial which was just handed to me tonight from the Pittsburgh Press. I think Senator Kopriver will realize that the Pittsburgh Press is not too friendly with this Administration. However, the first paragraph, Senator Kopriver, says that few men in public life are in a better position to assess the condition of the State Government in Harrisburg than Mayor David L. Lawrence. The editorial winds up saying—I think, perhaps, I will send it over to you because you should read it. It says: "It is time for bipartisan cooperation in the interest of all people. Mayor Lawrence's speech should be required reading in Harrisburg." I think you should have a copy of that.

I would like to ask the gentleman from Duquesne whether he knows how many political subdivisions in the State have a wage tax?

Mr. KOPRIVER, JR. I can tell you in Allegheny County, but I do not know about in the Commonwealth.

Mr. BARR. How many have a wage tax in Allegheny County?

Mr. KOPRIVER, JR. There are thirty-three political subdivisions that have a wage tax. This does not include Pittsburgh.

Mr. BARR. Pittsburgh has not seceded from the county. Therefore, I guess there are thirty-four, including Pittsburgh.

Mr. KOPRIVER, JR. You are just guessing now. Is that right?

Mr. BARR. Mr. President, for the information of the gentleman from Allegheny, there were 419 political subdivisions at the end of May which had a wage tax in Pennsylvania. Among them are eighteen cities.

Senator Kopriver, do you know who was Governor when the wage tax or tax anything bill was passed, Act. No. 481?

Mr. KOPRIVER, JR. I know as well as you do.

Mr. BARR. I asked you whether you could name the Governor?

Mr. KOPRIVER, JR. I can name him; yes. It was Senator Duff.

Mr. BARR. That is right. Would you say then that he is the father of the wage tax in all these 419 municipalities?

Mr. KOPRIVER, JR. I would not say he is the father of the wage tax. That was part of the problem in Allegheny County when the leaders wanted to adopt this Act No. 481. That request came from Allegheny County.

Mr. BARR. Mr. President, in order for the gentleman to know, and I think he should be very definitely apprised of this, when the two bills were lying on Governor Duff's desk at the same time — one was Act 481 and one was for the city of Pittsburgh to have the same taxing right as the city of Philadelphia, in other words, the Sterling Act — I called on the Governor in company with the then Mayor of Pittsburgh and still Mayor, Mayor Lawrence. The Governor said to us, "I cannot sign this bill because it may hurt me in the courts. It may weaken my position on Act No. 481, my tax everything bill." That is for your infromation.

I do not know whether the gentleman knows that I was one of the few who voted for Act No. 481 on the Democratic side in the Senate. However, every Democratic Member voted against the bill in the House. Therefore, we must say the Republican Party is the father of the wage tax.

Mr. KOPRIVER, JR. You mean you are saying now that Governor Duff was the father of the wage tax?

Mr. BARR. That is correct.

Mr. KOPRIVER, JR. I hope you are right.

Mr. BARR. That is correct and the Republican Party was the father of the first wage tax which was put on in the State in 1939 when they had the Mayor and the unanimous Republican Council in Philadelphia. The first wage tax was put on in Philadelphia. Did you know that?

Mr. KOPRIVER, JR. I understand it was under a Republican administration in Philadelphia. I understand that was one of the promises that the Democrats made when they wanted the job. However, when they took over in Philadelphia, they did not take the wage tax off.

Mr. BARR. In 1939, 1943 and 1947, that was an issue for the Democrats, they thought. Howeevr, they never won the election. Did you know that?

Mr. KOPRIVER, JR. I, of course, have not been in the Senate as long as you, Senator Barr. Howeevr, I do remember very well when Mr. Kane wanted a wage tax, about 1949. He is an Allegheny County Commissioner. There was quite a lot of trouble about that. Everyone knows that Dave Lawrence is the father of the wage tax in Allegheny County. Everyone in Pennsylvania knows that.

Mr. BARR. Mr. President, I would like to ask the gentleman if the city of Pittsburgh was the first political subdivision that put the wage tax on in Allegheny County.

Mr. KOPRIVER, JR. As far as I know, yes.

Mr. BARR. Well, Mr. President, the gentleman is misinformed.

Mr. KOPRIVER, JR. Who was it, then?

Mr. BARR. If the gentleman wants to know, there were three boroughs and two townships that had it before the city of Pittsburgh.

Mr. KOPRIVER, JR. That is not true, according to the records I received today from the Department of Internal Affairs. According to their records, Pittsburgh was the first. The other thirty-three followed suit after Pittsburgh imposed the wage tax. That information is according to the records I received from the Department of Internal Affairs today.

Mr. BARR. Mr. President, if the gentleman does not know the geography of the county, I had better tell it to him. Do you know where Trafford Borough is?

Mr. KOPRIVER, JR. Yes, I do.

Mr. BARR. Do you know it was the first place in western Pennsylvania where they put the wage tax on after Jim Duff's tax anything bill passed?

Mr. KOPRIVER, JR. There is only one district in Trafford City that is in Allegheny County, and I understand it is under a Democratic administration, too.

Mr. BARR. You said that nothing was in Allegheny County.

Mr. KOPRIVER, JR. I can show you this right here. I can show you the information I received from the Department of Internal Affairs today. You can have this. They are all marked 1954, after Pittsburgh imposed a wage tax.

Mr. BARR. Are you going to support my amendments, Senator Kopriver? If the city of Pittsburgh cannot put the wage tax on, second class cities, third class cities and the boroughs and townships should not. Is that right?

Mr. KOPRIVER, JR. Senator Barr, I am just tickled to death to go along because I am certainly glad that you fellows saw the light, finally. I will do anything to keep Dave Lawrence from imposing a wage tax in Allegheny County. I will be glad to go along with you.

Mr. BARR. Mr. President, in case the gentleman does not know, I thought I had informed him, that when the bill went through the House there was not one Democratic vote. I was one of the few on this side, when you did not even need the vote, who voted for it over here. I believe in the bill. I am one of the few on my side who does believe in it.

Mr. KOPRIVER, JR. Well, I did not believe in it.

Mr. BARR. Well, that is your privilege to believe in it now.

Mr. KOPRIVER, JR. I want to make sure that you understand that.

Mr. BARR. Will you support an amendment to return to the municipalities the money which will be lost if this wage tax has to go off their books? Will the State return the money to the municipalities?

Mr. KOPRIVER, JR. Senator Barr, I do not know what that has to do with this bill which is before the Senate this evening. That has nothing to do with it. What you are trying to do is confuse the issue here. All I am interested in is to make sure the people that are working in the city of Pittsburgh and living out of the city of Pittsburgh need not pay a wage tax to the city of Pittsburgh. As I have just told you, I will then advise this side of the aisle to vote for your amendments. If we are going to take all of the various political subdivisions out so that they will not have to pay a wage tax, it is perfectly okay with me because I have always been against a wage tax and my record shows that.

Mr. BARR. Who has the floor, Mr. President?

The PRESIDENT. The Chair would like to ask both gentlemen to have a little consideration for our steotypist and our stenographer so that they can correctly report

the proceedings. The Chair asks that only one of you talk at a time.

Mr. BARR. Mr. President, I would like to ask the gentleman whether or not he is engaged in the florist business?

Mr. KOPRIVER, JR. Yes, I am, but what has that got to do with this matter?

Mr. BARR. Are you a retail florist, Senator Kopriver?

Mr. KOPRIVER, JR. I am accused of being one.

Mr. BARR. And the wholesale florists are in the city of Pittsburgh?

POINT OF ORDER

Mr. MAHANY. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Crawford, Mr. Mahany, will state his point of order.

Mr. MAHANY. The gentleman is out of order. He is not talking on the bill or on the amendments.

The PRESIDENT. The Chair is unable to decide that question. I have not seen the amendments or the bill either. The gentlemen will confine their remarks to the amendments and the bill before the Senate.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, the point I was going to make in my amendments is appropriate to my remarks in that the gentleman is a retail florist in the city of Duquesne, and the wholesale florists are in the city of Pittsburgh and he keeps going back and forth, back and forth from the city of Pittsburgh to the city of Duquesne. to buy the flowers which he sells in his florist shop.

Mr. KOPRIVER, JR. Not all the flowers. We buy some flowers in Pittsburgh, but we raise flowers in Duquesne. What do you think we have greenhouses for?

Mr. BARR. To raise orchids?

Mr. KOPRIVER, JR. Yes, they are easy.

Mr. BARR. Mr. President, the Honorable Mayor over there has a nice community. He lives in what I call one of those boudoir communities.

Mr. KOPRIVER, JR. Thank you very much, Senator.

Mr. BARR. They live outside the city of Pittsburgh and depend on the city to pave the streets, to give fire protection to all those from Duquesne who come and work in the city and to give police protection to all of them. They do not want to even pay, as Senator Mahany would say, "a weeny, weeny bit."

Now, Senator, does your school board have a wage tax?

Mr. KOPRIVER, JR. In Duquesne?

Mr. BARR. Yes, sir.

Mr. KOPRIVER, JR. No, sir.

Mr. BARR. Is it a Democratic school board?

Mr. KOPRIVER, JR. Yes, sir.

Mr. BARR. Is the council controlled by the Democrats?

Mr. KOPRIVER, JR. Just since one of our Republicans turned Democratic recently.

Mr. BARR. That man must have seen the light.

Mr. President, the point I am trying to make is that if they are going to take and limit this to second class cities, which my amendment does by making it second class cities A, third class cities, boroughs and townships, I think the gentleman is just playing a little bit of politics. I can hazard a guess as to what is going to happen to the bill, with or without the amendments, once it gets over to the House of Representatives.

Mr. KOPRIVER, JR. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Barr.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Barr, permit himself to be interrogated?

Mr. BARR. With pleasure, by the florist from Duquesne.

Mr. KOPRIVER, JR. Thank you for the plug, Senator Barr.

What I am trying to get at is this. Since you found out that we are going to vote for your amendments—

POINT OF ORDER

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Barr, will state his point of order.

Mr. BARR. Mr. President, the roll has not been called. The gentleman says that they are going to vote for my amendments, but the roll has not been called and I do not know whether they are going to vote for my amendments or turn them down.

Mr. KOPRIVER, JR. Are we talking on the amendments now?

Mr. BARR. Yes.

Mr. KOPRIVER, JR. I hope we are talking on the amendments. I am just telling you that since I have asked my colleagues on this side of the aisle to vote for your amendments I hope that you will follow through and see that the bill, when it gets over in the House, receives the same treatment from your side of the aisle.

Mr. BARR. If the gentleman will vote for the amendment and vote for the tax to cover this amendment, which Senator Dent is going to offer, striking out the wage tax and taking this money away from the municipalities, I will see that the bill goes through the House. However, you have to vote for the taxes in order to return this money to the people in these 409 communities so that they can keep their government running. It is very simple.

Mr. KOPRIVER, JR. Although Mr. BARR is not talking about the amendments, Mr. President, I would like to make this remark which may clear up what he had on his mind. What I am interested in, in Allegheny County, is repealing the wage tax. If he wants to include the entire Commonwealth, that is fine. I have no objections to that as I am against wage taxes, and I have always been against a wage tax.

Mr. President, in 1953 the Mayor of Pittsburgh said he would not have a wage tax, and then in 1954 when he was re-elected Mayor the first thing he did was to impose a wage tax. Then the boroughs and townships in Allegheny County imposed a wage tax to prevent their people from paying the tax to the city of Pittsburgh. Up to that time, to my knowledge, there was no wage tax in the city of Pittsburgh or in Allegheny County. You say that there were a couple of them, but I do not know.

Did you ever take into consideration the fact that you have a lot of steel mills in the valley? In Duquesne, for instance, over fifty per cent of the employees in steel works live out of the city of Duquesne and probably there are that many in the city of McKeesport and the city of Clairton. There is no wage tax in these three third class cities in Allegheny County.

Now, Mr. President, I would like to see all of the

people who work in Duquesne live in Duquesne, but they cannot live there. I would like to see them come in there and buy and shop in Duquesne, as far as I am concerned.

Mr. President, Pittsburgh's Mayor Lawrence has repeatedly said that if it were not for Pittsburgh the rest of the county would be cow pasture. Now, remember that in Allegheny County there are 126 municipalities all together. If those municipalities were not favorable to Pittsburgh and did not shop in Pittsburgh, Pittsburgh would not be as large a city as it is today. This philosophy of the Mayor's, in condemning the rural communities for having a tax of their own so that they need not pay to Pittsburgh, is a foolish philosophy, and I never could see his argument when it came to that. The Mayor of Pittsburgh condemns the communities continually. It was not too long ago that he said that the rest of the county should pay for part of pittsburgh's maintenance, utilities and so forth, for the use of their streets, police department and fire department. They do that in Homestead, they do that in McKeesport, Duquesne and all the other places in the county. These cities are not complaining about neighbors coming into their communities. I do not know why the Mayor of Pittsburgh keeps on harping about it. What is happening in Allegheny County is that they are driving people out of Pittsburgh to the outlying districts, and this has been proven. You saw the statistics not very long ago, which show that there are more cars coming into Pittsburgh but less people.

Surely, Mr. President, Dave Lawrence does not think that the people out in the boroughs, townships and municipalities are going to be continually insulted and come back into Pittsburgh. Take, for instance, the great improvements in Point Park, the renaissance of Pittsburgh, which the Mayor talks about so much and gets so much publicity about. What about the assessed valuation and the amount of money coming in there in taxes? It far exceeds, in money, the taxes of the buildings which they tore down. They are losing no money in revenue.

Mr. BARR. Mr. President, I am not raising a point of order, but I just want to let the gentleman know that he is pretty far afield, but go ahead.

Mr. KOPRIVER, JR. Well, you have not done so bad yourself, Senator Barr. You are a champ yourself, you know, when it comes to that. I am willing to stop right now and give you an opportunity to vote on the amendments as far as I am concerned. I am going to vote for them and I will advise my colleagues to vote for the amendments.

Mr. BARR. Mr. President, the gentleman sort of proved my point when he said that more people are moving out and more cars are driving in. I think one that is driving in is this florist truck to the wholesale house down in the wholesale area.

Mr. President. I would like to know from Senator Kopriver when—I want this direct, this is no byplay—the Mayor of Pittsburgh said that if it were not for the city of Pittsburgh the suburban areas, the boroughs and townships, would be nothing but cow pastures. When and where was that said?

Mr. KOPRIVER, JR. Senator Barr, I know that it was said and it was in the papers in Pittsburgh. I know those fellows would not print a story like that if it were not true; but where it happened I do not know. I think it was in answer to the township of Mount Lebanon when they put a wage tax on their books. The Mayor was a little sore at Mount Lebanon because they decided to impose a wage tax to protect their people from paying it to the city of Pittsburgh, and paid it to the township of Mount Lebanon.

Mr. BARR. Mr. President, I would like to ask the gentleman one more question. Where, in the campaign of 1953, did the Mayor of the city of Pittsburgh say that there would be no wage tax imposed? I think that is a very important question.

Mr. KOPRIVER, JR. Well, I remember very well that when one of our former colleagues in the Senate, Senator Walker, accused the Mayor of Pittsburgh during the election of favoring a wage tax and predicting that one would be imposed, Mayor Lawrence called our former colleague in the Senate an unmitigated liar.

Mr. BARR. Mr. President, I cannot disagree with what he said about our former colleague in his last sentence, but the question was never brought up in the 1953 campaign, and if you do not know it, Senator Kopriver you ought to check with the Pittsburgh newspapers. They will tell you that is the truth.

Mr. KOPRIVER, JR. It is the truth that he called Walker an unmitigated liar, that is right.

Mr. BARR. I called him that, but I do not know whether the Mayor did or not, and I will stand on that.

Mr. KOPRIVER, JR. Well, of course, I am not surprised at that. I want to say this to you, that that is true and he quoted Lawrence throughout the election. What did Lawrence do less than three weeks after election? He put a wage tax on, did he not?

Mr. BARR. You say that the Mayor put the wage tax on?

Mr. KOPRIVER, JR. Well, he recommended it to city council; behind the iron curtain, as they call it.

Mr. BARR. You know, I want to tell you something, Senator Kopriver.

Mr. President, I could go on for quite a time and tell the gentleman what little he knows about the government in the city of Pittsburgh and the county of Allegheny and the State, but I have more intelligence. Let us vote on the amendments.

Mr. KOPRIVER, JR. Mr. President, I do not intend to flatter Senator Barr on how much he knows about politics or government in Allegheny County, but when he says that I know very little about it I will say this to him. I know as much as he does about it even though he is the Democratic State Chairman, as far as I am concerned.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the section, as amended?

Messrs, WATKINS, WATSON, PROPERT and HARNEY offered the following amendments:

Amend section 1, page 1, line 2, by inserting after the word "the" the following: "first and"; Amend Section 1, page 1, line 4, by inserting at the end of the line after the word "the" the following: "first and".

On the question,

Will the Senate agree to the amendments?

Mr. SILVERT. Mr. President, it is really getting too

late to involve Philadelphia in this question. We spent a couple of sleepless nights arguing that question two or three months ago.

Senator Watkins, are we going to repeat all over again?

Mr. DENT. Mr. President, I do not like to raise a technical question, but I am rather positive that the only way you can remove the so-called wage tax from the city of Philadelphia is by an amendment to the act which created the wage tax, the Sterling Act. I do not think this bill would do that.

Mr. President, they have a great many constitutional lawyers on the other side; I just wondered if they think these amendments will do it.

Mr. MAHANY. Mr. President, if Senator Dent is correct, then this whole bill would be out of order or illegal. This bill does not amend Act No. 481. It is supposed to be a general act affecting everything and everybody; including florists, Mayor Lawrence and everybody else.

Mr. DENT. And the city of Duquesne. However, Mr. President, I think we have gone rather far afield and, inasmuch as we sometimes like to have a little fun, one of the reasons that I tried not to have a recess tonight was because I knew that we would end up in something on this order.

Mr. President, about this act which is before us now, the proper and only way that you could amend any act of the Legislature is to precisely name that act. What we are trying to do here tonight is peculiar. We are trying to do something that even the constitutional lawyers on the other side will admit is a little on the balmy side. However, since we are all being so balmy and everybody is just having a good time, I would like to say a few words at this time.

First of all, I might say that I do not think, even if this act were the proper vehicle, that the amendments, just introduced by the gentleman from Delaware, fit in the bill now that you have adopted Senator Barr's amendments. The line changes will make his amendments unadaptable to this act of the Legislature. He will have to wait until it is printed, with the amendments put in by Senator Barr, and then make the proper changes in the new lines.

However, since everybody knows that it is only a fishing expedition and no one is taking Senator Kopriver very seriously, including himself, I would like to present at this time a group of serious amendments which, if by any chance such an act would be declared constitutional and if by any chance the House of Representatives were foolish enough to accept it, I believe Senator Kessler and other Republican Senators who have a regard for Pennsylvania's economy and Pennsylvania's subdivisions of government will admit are the only amendments that you could introduce to any bill which would eliminate from the local communities millions of dollars of revenue that is already contained in their budgets. All of us know that most communities have had to resort to the Duff "tax anything" bill because of the limitation of real estate taxation in those communities. Therefore, since they have this tax on the statute books, if they lose revenue through the passage of an act of this nature, there is only one thing which you can do and that is to amend the bill.

POINT OF ORDER

Mr. MAHANY. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Crawford, Mr. Mahany, will state his point of order.

Mr. MAHANY. Is Senator Dent presenting amendments at this time?

The PRESIDENT. The amendments before the Senate at the present time are the amendments of the Senator from Delaware, Mr. Watkins.

Mr. DENT. Mr. President, there was no second to the offer of his amendments.

The PRESIDENT. There is no requirement for a second. The Chair asked the question, "Will the Senate agree to the amendments," and the gentleman from Westmoreland, Mr. Dent asked for the privilege of the floor and the Chair did not hear the Senator object.

The Chair will ask the question again. Will the Senate agree to the amendments offered by the gentleman from Delaware, Mr. Watkins?

Mr. DENT. Mr. President, before anybody seconded the motion that these amendments be agreed to, I took the floor and I have taken it again. I can repeat the remarks if you would like them read back.

The PRESIDENT. Since there is no second required, does the gentleman from Westmoreland, Mr. Dent, object to the amendments?

Mr. DENT. I did, twice, Mr. President.

Mr. WATKINS. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. WATKINS. Senator Dent, I would like to ask you why you did not object to the amendments submitted by Senator Barr?

Mr. DENT. I am not objecting to your amendments at the moment. I said they were not seconded. When you introduce —

Mr. WATKINS. Wait a second. If we wish to take issue with you, they were seconded. The Chair has ruled that the motion did not necessitate a second. What else do you want?

Mr. DENT. Mr. President, I think I have served long enough to know that when amendments are offered, they make a motion for the adoption of the amendments.

The PRESIDENT. The Chair would like to clarify this by saying that there was no motion. The Chair, which it does at all times when amendments are offered, asked "Will the Senate agree to the amendments to Section 1?"

The gentleman from Westmoreland has not objected. The Chair did not hear him, and originally did not understand that he was objecting. The Chair thought you were discussing the amendments rather than objecting.

PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his question of parliamentary inquiry.

Mr. DENT. Mr. President, when amendments are offered and objected to, is it not necessary for a Member on

the floor to then make a motion or move that the amendments be adopted?

The PRESIDENT. That is the proper procedure.

Mr. DENT. Was that motion ever made?

The PRESIDENT. That motion was not made.

Mr. DENT. All right, then, where are we?

Mr. WATKINS. Mr. President, I so made that motion.

Mr. DENT. When?

Mr. FLEMING. Mr. President —

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Mr. Fleming.

Mr. FLEMING. Mr. President, I now wish to second Senator Watkins' motion to adopt the amendments he just offered.

The PRESIDENT. Did the Senator make the motion?

Mr. WATKINS. I will make it again, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Mr. Watkins.

AMENDMENTS ADOPTED

Mr. WATKINS. Mr. President, I move that the amendments which I offered to Section 1 be adopted and acted upon immediately.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President —

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Mr. Barr.

PARLIAMENTARY INQUIRY

Mr. BARR. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Allegheny Senator Barr, will state his question of parliamentary inquiry.

Mr. BARR. Does Senator Dent have the floor?

The PRESIDENT. The Senator has had the floor.

Mr. BARR. Mr. President, how can Senator Watkins make a motion while Senator Dent has the floor?

The PRESIDENT. The Senator stated that he had made the motion. The Senator from Westmoreland objected to the amendments, and then it is the privilege of the sponsor of the amendments to make a motion.

POINT OF ORDER

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Barr, will state his point of order.

Mr. BARR. Mr. President, the gentleman objected and is giving his reasons for objecting, and until such time as he is finished with his objection, the gentleman cannot make a motion.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, offered other amendments.

And the question recurs,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, whatever you rule, we will abide by. You say now that a motion has been made and it has been seconded.

The PRESIDENT. The gentleman from Delaware, Mr. Watkins, made the motion. The Gentleman from Allegheny, Mr. Fleming, seconded the motion.

Mr. DENT. Was that recently or on the first go-around in this affair?

The PRESIDENT. The Chair is unable to determine because everyone has been trying to talk at once tonight.

Mr. BARR. Someone has to determine the state of the record.

The PRESIDENT. The Chair will determine that.

It has been moved and seconded that the amendments offered by the gentleman from Delaware, Mr. Watkins, be adopted.

The question is on the motion.

And the question recurs,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

Mr. DENT. Mr. President, I request that the Chair return my amendments.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, requests that his amendments be returned.

And the question recurs,

Will the Senate agree to the section, as amended?

Mr. DENT. Mr. President, may I now have the floor?

The PRESIDENT. The Chair recognizes the gentleman from Westmoreland, Mr. Dent.

Mr. DENT. Mr. President, we have just gone through a rather unintelligible fiasco in which men, who are supposed to be elected to office in a serious parliamentary body, knowingly and willfully violated their pledges of performance of duty to this Commonwealth. They know, you know and I know, and it is too bad the citizen of this Commonwealth cannot be in on the operations of this Senate tonight.

Mr. President, no man sincere in his efforts to do that which is best for this Commonwealth would introduce into this Senate legislation particularly picking out a municipality of government for the political purpose of pointing up what might be conceived to be, by some, a very fine political maneuver. There is no difference between the people who live in Pittsburgh and the people who live in Trafford or in Johnstown or Meadville or any of the other hundreds of communities in this State.

I heard a man say on this floor that he was against wage taxes. Maybe he is, I do not know. I only know that it was a unanimous vote of the Republican Party in the House and in the Senate of Pennsylvania that made wage taxes possible in this State. I only know that for seven and a half hours I stood upon this floor and fought the wage taxes which were created in Pennsylvania. It comes in bad grace, and very badly disguised political maneuvering, to offer a bill that only excludes the peoples of the city of Pittsburgh from paying these wage taxes.

If sincerity were the motive, then the amendments should have read as an amendment against Act No. 481 in order that all of the peoples of Pennsylvania who are paying wage taxes would be exempted from this taxation. I heard the gentleman say awhile ago that thirty-three communities in Allegheny County, outside of Pittsburgh, pay the wage tax. Are the citizens in these other communities, thirty-three in number, different than the citizens of Pittsburgh? Is he only against wage taxes in the city of Pittsburgh because at this moment they believe that they will help in a political campaign in Pittsburgh? I never doubt a man's honest endeavors. If you listen

long enough, you will learn. However, I do know that if I start out to kill snakes, I do not only choose a black snake out; I kill all the snakes I see. When you start out to eliminate wage taxes in Pennsylvania, you eliminate them from all the people who work for a living and not only those who live in Pittsburgh for the reasons of political strategy.

Yes, Mr. President, we voted for this, and we will vote for the bill and we voted for the amendments. However, in order to be at least halfway honest with your conscience and with the peoples in the communities affected, you will have to vote for the amendments herewith offered; that any revenues that are lost by these communities through the passage of this act will be returned to these communities from State revenues. The school districts in this State, eliminated from the provisions of this act, will be more than bankrupt unless you return the moneys. I am informed that there are 262 districts. The boroughs and the townships will be more than bankrupt if you eliminate them from the provisions of this act. I know that in all of the years I have served in this Senate, including myself, this is the lowest caliber group that ever served in the Senate. We have lost all sense of political responsibility. We are spending hours upon the floor of this enate debating issues that are not entirely germane to the welfare of the people of this State. If Senator Kopriver would have introduced legislation eliminating the wage tax from all communities in Pennsylvania, there would have been a measure of sincerity. However, when you pick out one community and allow four hundred and some other communities to keep that tax, it does not measure up to the caliber of the man who I have always felt that Senator Kopriver was.

Mr. President, I am going to introduce this amendment, and I know that the Republicans will vote against it, being another proof of the great misunderstanding of our duties to the peoples of this great State. There is not a man in this Senate who could live with the provisions of this bill if the House abdicated its position of responsibility and passed this bill in the House as it goes over to it from the Senate. If you believe now in what you are doing tonight, then certainly you could not have believed in Act No. 481 when you voted for it. If you believed in it then, you cannot believe in it tonight. Although Senator Mahany will probably get up and make some wise crack about my being mesmerized by the tone of my own voice, I can say to him that at least during the years that I have served, I have been consistent in my approach. I have been consistent in every problem which has ever faced this Senate. Sometimes I get credit for it, Senator Mahany, and sometimes I am abused by it. At least, I will stay with consistency, although it is considered the hobgoblin of small minds.

I believe that in public life none of us has the right to do things that bring upon us the whosesale condemnation of the peoples who are governed by us. At this moment in Pennsylvania's history, this Membership of the Senate of Pennsylvania stands lower in the respect of the people than any group with whom I have ever served. It is our own doings and our own makings. This evening we could not recess for an hour, and yet ninety per cent of all the bills that were on the Calendar had been in committees for anywhere from two to six months. We are not fooling anybody. People know that this State needs taxes just as these communities need taxes. We could go back; we could close the schools. We can refuse the responsibility of relief. We can refuse the responsibility of the mentally ill. We can do all these things and these communities can refuse their responsibilities.

I assure the Membership of this Senate tonight that if you insist upon the passage of this kind of legislation, without at least passing compensating legislation with it, we will be labeled as being even further down on the ladder of political respect than what we find ourselves tonight. It does not pass over any of us. The brand is not attached to you as a Republican or to me as a Democrat. The black stick of public condemnation slaps all of us at the same time. When people speak of the Senate, they do not speak of a Republican and Democratic Senate. They speak of the Senate of Pennsylvania, a body politic that has been looked up to over the years, in the main, with a great deal of respect by the people. The petty politics that are being displayed not only here tonight, but in many of the maneuvers which have gone on, cannot bring anything to any of us but shame and condemnation by the people.

Mr. President, in order to at least add some dignity to what we have done, I offer the following amendment:

Amend Section 1, page 2, line 4 by inserting after the word "city" the following: "Any revenues lost by any subdivision of Government by the passage of this act shall be returned to the subdivision from state revenues."

On the question,

Will the Senate agree to the amendment?

MOTION THAT AMENDMENT BE ADOPTED

Mr. DENT. Mr. President, I move that the amendment be adopted.

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. KOPRIVER, JR. Mr. President, I have no intention of trying to make a flowery speech on how insincere some Member of the Senate may be. Let Senator Dent speak for himself as far as sincerity is concerned, but I want him to know that I have never done a thing in my political life or public life in which I was not sincere. I was sincere when I introduced this bill on June 20th of this year, in plenty of time before this campaign started which he is talking about. I did not introduce any amendments to this bill. The gentleman on the other side did, but I did not.

I want Senator Dent to know that I have never done a thing in my public life which I did not consider sincere. I am sincere in what I said about Allegheny County because all of the places in Allegheny County that have a wage tax today are communities in Senator Fleming's District and my District; remember that. Also, remember this, many times I have been told about the representation here in the Senate. This is a fact and you can take it to yourselves. Senator Fleming and I, the two of us, represent 570 precincts, and the four Members across the aisle, from Allegheny County, represent 649 precincts. They only represent seventy-nine more than we do.

Mr. President, I just do not like the ide ahere of anybody calling me insincere, because I have been sincere

and I do not appreciate what has been said about me as far as I am concerned. I am interested in my District in Allegheny County. If they want this tax imposed on the rest of Pennsylvania it is all right with me, but I am against a wage tax and I have always been against a wage tax. I do not run out in the back room there to keep from voting, either, when it comes to voting on wage taxes.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Kopriver.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Kopriver, permit himself to be interrogated?

Mr. KOPRIVER, JR. I will, Mr. President.

Mr. DENT. Senator, maybe it is mistaken judgment on my part, but did I not hear you say that all of these communities which have the wage tax are in your District and Senator Fleming's District?

Mr. KOPRIVER, JR. That is right.

Mr. DENT. Well, Senator Kopriver, you are sincere in trying to take that wage tax off, are you not?

Mr. KOPRIVER, JR. I am only interested in preventing the city of Pittsburgh, Dave Lawrence, from collecting taxes from the rest of the countians who do not live in Pittsburgh. That is what I am interested in.

Mr. DENT. Thank you very kindly.

Mr. President, I cannot understand how it will relieve his people in the communities which have a wage tax, which they collect for themselves, if Pittsburgh takes its wage tax off.

Mr. FLEMING. Mr. President, I did not have much intention of getting up on this, but I believe Senator Dent, I think inadvertently, certainly did not mean to advise the Senate of the contents of the bill introduced by Senator Kopriver. In his remarks, he said that Senator Kopriver is attempting to remove the imposition of the wage tax first in Allegheny County and then charged him with not having a due regard for all Pennsylvanians by not trying to remove it from all Pennsylvanians.

As I read Senator Kopriver's bill, that is not the intent of the bill at all. The intent of the bill prohibits the imposition of a wage, income or occupation tax by cities of the second class on nonresidents of the city. Now that would prohibit the city of Pittsburgh, for instance, from levying a tax on those people who live in the borough of Wilkinsburg and work in the city of Pittsburgh, but it certainly does not prohibit the city of Pittsburgh from continuing its wage tax on its own residents.

Now, Mr. President, in my own borough of Aspinwall we have a wage tax. It was put on, and I am frank to admit that the borough council did put it on only after the city of Pittsburgh imposed their tax, in order that our people who work in the city of Pittsbuhg would not have to pay it in Pittsburgh. If this bill is passed with Senator Barr's amendments ,which now include the boroughs, townships and incorporated towns, it only means that Aspinwall cannot levy a wage tax on those people who work in Aspinwall and do not live in Aspinwall. That might affect our wage tax ten or fifteen per cent, but the great bulk of our wage tax income will still go on, and I believe it will in most of the communities over Pennsylvania because most of the districts, in my opinion at least, in the boroughs and townships that now impose it, will get it from their own residents. They just will not be able to collect the tax from nonresidents. For instance, those people who live in Greensburg will not be able to pay it in Jeannette or vice versa.

Mr. President, there is an element of unfairness in the imposition of the wage tax in the city of Pittsburgh, in that the second class townships are not permitted to levy the wage tax and, therefore, those people have to pay it in the city of Pittsburgh, and the local second class townships cannot impose it. Possibly some bill should be introduced to take care of the second class townships. I have no intention of introducing it, but possibly one should be introduced. I see that you are a great believer in this, Senator, and maybe you should introduce an amendment to Act No. 481 which would permit townships of the second class to have the same rights as the other municipalities enjoy under Act No. 481.

I am not talking on the amendment, but Senator Dent was talking a little off of it when he was giving his talk, and I did want to inject that he had left the impression that it was abolishing all wage taxes and it certainly is not.

Mr. DENT. Mr. President, of course, the gentleman very cleverly turned with a twist of the wrist, and the knife not only made the incision but it tore part of the flesh on its way back out. He said taht I believe so much in it that I ought to put the amendment in to let second class townships put the tax on.

It might interest the gentleman to know that I never voted for Act No. 481 and fought it very bitterly, and I will not introduce the legislation which he referred to. I am not sure whether, as a House Member, he voted for it or not, but that is entirely up to him.

Mr. President, I cannot see any justice in relieving a taxpayer from Aspinwall or Greensburg or Jeannette who lives in Aspinwall, Greensburg or Jeannette and pays taxes in the city of Pittsburgh because he works there. There is no more justice in relieving him than in relieving a man who lives in the city of Pittsburgh and works in Greensburg, Jeannette or Aspinwall. That is exactly what I was driving at. If there is any sincerity in this program, then it has to be a program to eliminate the tax all over. I would like to see the Republican Party do, what they are attempting to do here now by subterfuge, what they would like to do direct. Refute Jim Duff. These amendments refute Jim Duff. Now put the bill in to refute him all the way. Take the tax off of ashes and all the other things that Jim allowed in Pennsylvania. That is all you have to do.

Mr. MAHANY. Mr. President, I would like to talk on the amendment. We are not talking about Jim Duff or somebody else or making political speeches, and we should not. When Senator Dent does that sort of thing he does the very thing which he accuses others of doing. When they do that sort of thing, it seems to me that by their action they are lowering the dignity of this Senate. When you try to take advantage of little technicalities you certainly disturb the decorum of the Senate and you do not contribute very much to its business.

Mr. President, we have been talking here now for almost forty-five minutes on something which should have been disposed of within fifteen minutes. I want to say to the Presiding Officer, the Lieutenant-Governor, who does not happen to be of my party affiliation but belongs to the Democratic Party, that I sometimes envy the Democratic Party for at least having one fellow who I think is very

fair in his presiding over this Senate. When they attack the Presiding Officer for trying to dispatch the business of this Senate in a businesslike way, I think they are out of order and they certainly do not contribute very much to the business of this Session. Of course, we have little technicalities as to whether or not somebody seconded a motion or something like that, but to make a great to-do over it does not help us very much.

Now, Mr. President, let us talk about this amendment which Senator Dent has put in. He has been here long enough and he should know that his amendment would certainly be unworkable. His amendment provides that "any revenue lost by any subdivision of government by the passage of this act shall be returned to the subdivision from State revenues."

Now, how in the world could you possibly do that? How do you know, for instance, next year how much, we will say, the city of Sharon, which has a wage tax levied on residents as well as nonresidents, would lose? The amount they would lose would depend upon how many workers from outside the city would be working there at that time, whether or not the place that they came from had a wage tax, the rate of that tax and you would have to have a corps of people, which would take about all the applicants for jobs which Senator Barr has on tap, in order to carry out this work of finding out how much each subdivision lost and it would just be an eternal job.

When Senator Dent offers such an amendment as this, he knows full well that it is just compounding any felony which has been perpetrated on this Senate by any other bill which may have been put in here inadvertently or because somebody honestly felt that they could do the job that they sought out to do by Senate Bill No. 535.

Mr. President, all that Senate Bill No. 535 would do, now that it affects all classes of cities, would be to do the very thing which would happen if the particular subdivision, which has workers residing outside of the city, would pass a wage tax. Then the city or subdivision in which that worker did his work would not receive any revenue under Act No. 481, because the revenue from the wage tax would go to the place where the man resided.

Mr. President, certainly we feel, if Senator Dent is right that Act No. 481 is wrong and if the Democrats are very much opposed to it, they should present a bill over in their Democratic controlled House to eliminate Act No. 481. I have heard Senator Dent rant and rave here for months and years about the inequities of Act No. 481, but I do not see anybody over on the other side putting any bills in—at least if they do, they do not get very far—to repeal Act No. 481 in whole or in part. Therefore, they do not speak with a very great degree of honesty when they keep ranting and raving about Jim Duff's Act No. 481.

Mr. President, if you look over the State of Pennsylvania, you will find that most of the political subdivisions that have seen fit to take advantage of the provisions of Act No. 481 are in Democratic controlled communities. Most of the Republican controlled communities have not taken advantage of this act unless one big Democratic controlled community has first put the ordinance in and then, because of self-protection, they also had to enact similar ordinances so that their people would not have to pay the tax in the place where they worked but would pay it to the city where they resided.

Therefore, Mr. President, inasmuch as this amendment is unworkable, uncertain and just generally wrong, I oppose the amendment offered by Senator Dent.

Mr. DENT. Mr. President, I think someone should inform the gentleman on the other side that Altoona, Easton and Johnstown are not Democratic cities, and they all have the wage tax.

However, Mr. President, I might call attention to the fact that this bill becomes effective December 31, 1955, if you pass it. Will someone tell me what happens to the budgets that run to the end of the fiscal year in June?

And the question recurring,

Will the Senate agree to the motion?

Mr. DENT. I ask for a roll call, Mr. President.

Mr. BARR. I ask for a roll call, Mrs. President.

The yeas and nays were required by Mr. DENT and Mr. BARR, and were as follows, viz:

YEAS—12

Barr,	Haluska,	McGinnis,	Seyler,
Camiel,	Hays,	Miller,	Silvert,
Dent,	Holland,	Schmidt,	Stiefel,

NAYS—25

Berger,	Kessler,	Pechan,	Van Sant,
Blass,	Kopriver, Jr.,	Peelor,	Wade,
Chapman,	Madigan,	Propert,	Watkins,
Diehm,	Mahany,	Scott,	Watson,
Flack,	Mallery,	Stevenson,	Whalley,
Fleming,	McPherson, Jr.,	Taylor,	Wolfe,
Harney,			

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section, as amended?

MOTION TO RE-REFER BILL

Mr. HOLLAND. Mr. President, I move that Senate Bill No. 535, Printer's No. 285, be re-referred to the Committee on Public Health and Welfare.

Mr. HALUSKA. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the section, as amended?

It was agreed to.

The second and third sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. BARR offered the following amendments:

Amend page 1, line 2 of the title by inserting after the word "class" and before the word "on" the following: "second class A third class borough incorporated town or township"; Amend page 1, line 2 of the title by inserting after the word "city" and before the word "and" the following: "borough incorporated town or township".

They were agreed to.

On the question,

Will the Senate agree to the title, as amended?

Messrs. WATKINS, WATSON, PROPERT and HARNEY offered the following amendment:

Amend page 1, line 2 of the title by inserting after the word "the" the following: "first and".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

PARLIAMENTARY INQUIRY

Mr. BARR. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Allegheny, Mr. Barr, will state his question of parliamentary inquiry.

Mr. BARR. Mrs. President, does not a bill have to go over if amended, in order to see the printed copy, without even a motion?

The PRESIDENT. It can go over and be printed for third reading with the amendments passed today.

Mr. BARR. With the request that the bill be printed to see how it looks on the Second Reading Calendar with the amendments? Is it not just merely a request that is needed and not a motion?

The PRESIDENT. Either way. If the request is objected to, then a motion would be necessary.

Mr. BARR. Is it not true, Mr. President, that a bill must be printed and laid on our desks before we vote upon it? I am sure this bill could not have been printed during the time we have had this moonlight soiree that we have had here in the last hour. I would call it moonlight madness, myself.

PARLIAMENTARY INQUIRY

Mr. MAHANY. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Crawford, Mr. Mahany, will state his question of parliamentary inquiry.

Mr. MAHANY. Mr. President, does the state of the record show that this bill, Senate Bill No. 535, Printer's No. 285, has now passed second reading?

The PRESIDENT. The bill has not passed second reading as amended. The title has been agreed to, but it has not passed second reading, as amended.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 535, Printer's No. 285, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I just want to concur in what the gentleman from Crawford, Senator Mahany said. I have been here under five Lieutenant-Governors, and this is the first one that I have seen who had two eyes in his head.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I would suggest to the Democratic Members of the Senate that they treat their Lieutenant-Governor with a little bit more respect.

The PRESIDENT. The Chair thinks that all the Members are out of order now.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, all of us respect the Lieutenant-Governor, and over the years there were times when our respect was stretched a little.

SECOND READING CALENDAR

REQUEST THAT BILL GO OVER IN ORDER

Mr. MAHANY. Mr. Presdent, I understood from Senator Stiefels when we came in the Senate Chamber, that the gentleman connected with the Administration, who had some objections, had now removed his objections and he suggested that we see him tomorrow, I believe, to find out more about it.

Therefore, Mr. President, I ask unanimous consent that Senate Bill No. 539, Printer's No. 286, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. STIEFEL. Mr. President, I have spent a few laborious hours today working on amendments so as to comply with the wishes of the Attorney General. Deputy Attorney General Harrington Adams said that as long as these amendments are placed in the bill, he has no objections.

Tomorrow, we will probobly be going home. I am a Philadelphian and I want to live with my conscience. I, therefore, hope that Senator Mahany, in order not to deprive me of rest in Philadelphia, will permit me to put in these amendments.

REQUEST THAT BILL GO OVER IN ORDER WITHDRAWN

Mr. MAHANY. Mr. President, I will withdraw my request that Senate Bill No. 539, Printer's No. 286, go over in its order.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 539, entitled:

An Act relinquishing Commonwealth rights in property in control of the Trustees of the University of Pennsylvania

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STIEFEL. Mr. President, the amendments which I am about to offer are a mere enumeration of liens.

Mr. STIEFEL offered the following amendment:

Amend Section 1, Page 1, by inserting on line 2 after

the word "Pennsylvania": "more specifically referred to in Section 3 of this bill";

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. STIEFEL offered the following amendments:

Amend Section 2, Page 2, by inserting on line 6 after word "properties" "more specifically referred to in Section 3 of this bill"; Insert after line 7, Page 2, the following: "Section 3 Appropriation liens filed by the Commonwealth of Pennsylvania against University real estate" Lien filed September 8, 1916, in Court of Common Pleas No. 4 June Term, 1916, No. 7 State Appropriation Docket, for Appropriation of June 13, 1911, against "Philadelphia Polyclinic and College for Graduates in Medicine, Philadelphia, Pennsylvania, and lot of ground with unfinished brick and terra-cotta dispensary building with floors and roof of steel and reinforced concrete construction, 7th Ward, Philadelphia, north side of Naudain Street, 70 feet West of 18th Street; containing 80 feet on Naudain Street, by North 72 feet 6 inches, East 38 feet, North 25 feet 6 inches, East 32 feet, South 98 feet to place of beginning ..... $10,000.00"; "Lien filed November 16, 1925, in Court of Common Pleas No. 4, September Term, 1925, No. 1 State Appropriation Docket, for Appropriation of June 13, 1911, against "Medico-Chirurgical Hospital and transferred to lot of ground with buildings and improvements thereon erected, bounded by 18th Street, 19th Street, Lombard Street and Naudian Street .....$75,000.00"; "Lien filed October 4, 1916, in Court of Common Pleas No. 5, September Term, 1916, No. 9 State Appropriation Docket, for Appropriation of June 13, 1911, against, "(a) Lot of ground with new buildings of Veterinary Department, beginning on DeLancey Street 66 feet 6-½ inches East of 39th Street; thence East 193 feet 5-½ inches to building last erected; South along said building 44 feet: West 193 feet 5-½ inches to building facing on 39th Street; North along said building 44 feet, and .....$250,000.00"; "(b) Lot of ground with Surgical Wards of Hospital of University of Pennsylvania, southwest corner 34th and Spruce Streets, thence South along Spruce Street, 87 feet; South 94 feet; East 87 feet to 34th Street; North 94 feet."; "Lien filed October 4, 1916, in Court of Common Pleas No. 5, September Term, 1916, No. 10 State Appropriation Docket, for appropriation of July 25, 1913, against, "(a) Lot of ground each side of Extension of Hamilton Walk, between Spruce Street and Hamilton Walk proper, starting about 179 feet 6-½ inchest South of south house line of Spruce Street; thence extending 106 feet 1-¼ inches South on the east side of said extension of Hamilton Walk, East on University property about 45 feet 7 inches; North on University property about 106 feet 1-¼ inches, West about 45 feet 7 inches to a point of beginning, with modern fireproofe structure with steel frame, concrete floors and walls of brick with limestone trimming, and, ...$165,000.00"; "(b) Southwest corner 34th and Spruce Streets about 5 feet 9 inches South of south house line of Spruce Street; thence extending about 94 feet 10 inches South on the west side of 34th Street ;west on Unievrsity property about 93 feet; North on University property 94 feet 10 inches to south house line of Spruce Street; east on south house line of Spruce Street 93 feet to west house line of Spruce Street 93 feet to west house line of 34th Street and place of beginning, with modern fireproof structure with steel frame, concrete floors and walls of brick with limestone trimmings. .....$500,000.00".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. STIEFEL offered the following amendment:

Change line 8, Page 2, to read "Section 4" instead of "Section 3".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. STIEFEL. Mr. President, I ask unanimous consent that Senate Bill No. 539, Printer's No. 286, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 540, entitled:

An Act relinquishing Commonwealth rights in property in control of the Trustees of Temple University.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STIEFEL offered the following amendment:

Amend Section 1, page 1, by inserting on line 2 after the word "University": "more specifically referred to in Section 3 of this bill."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. STIEFEL offered the following amendments:

Amend Section 2, Page 2, by inserting on line 6 after word "properties": "more specifically referred to in Section 3 of this bill";

Insert after line 7, Page 2, the following:

"Section 3

"Lien against 1827 North Broad Street, in the amount of $25,000.00. C. P. No. 5 of Philadelphia County, September Term, 1916, No. 5, State Appropriation Docket No. 1

"Lien against portion of Temple University Hospital, in the amount of $5,000.00. C. P. No. 5 of Philadelphia County, September Term, 1916, No. 6."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. STIEFEL offered the following amendment:

Change line 8, Page 2, to read "Section 4" instead of "Section 3."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. STIEFEL. Mr. President, I ask unanimous consent that Senate Bill No. 540, Printer's No. 287, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 584, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing issuance of resident fishing licenses to certan residents who intend to become naturalized.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HALUSKA. Mr. President, the amendments which I am about to offer, on behalf of my colleague from Lehigh, Senator Van Sant and myself, are quite lengthy but they are clarifying amendments. They have been agreed upon by the sponsor and myself.

Messrs. HALUSKA and VAN SANT offered the following amendments:

Amend Sec. 1, page 2, line 1 by striking out "Subsection (a) of section" and inserting in lieu thereof: "Section";

Amend Sec. 1, page 2, lines 2 and 3 by striking out "one thousand nine hundred and twenty-five" and inserting in lieu thereof: "1925";

Amend Sec. 1, page 2, line 3 by inserting after "amended" where it appears the first time in said line: "in part May 22, 1953 (P. L. 211) reenacted and amended";

Amend Sec. 1, page 2, line 3 by inserting after "666)" "and amended in part May 11, 1955 (P. L. 50)";

Amend Sec. 1 (Sec. 220) page 2, lines 12 and 14 by inserting brackets before "and" in line 12 and after "papers" in line 14.

Amend Sec. 1 (Sec. 220) page 2, lines 14 to 18 by striking out "and in" in line 14, all of lines 15 to 17 and "tion on such declaration" in line 18.

Amend Sec. 1 (Sec. 220) page 3, line 6 by striking out the stars and inserting in lieu thereof:

"(b Any disabled veteran of any war or armed conflict whose disability consists of the loss of one or more limbs, or the loss of the use of one or more limbs, or a veteran who is totally blind and who meets the above qualifications shall be issued such license upon application to any county treasurer without the payment of the above license fee provided for the use of the Commonwealth. The application for the issuance of a license in such case shall, in addition to the other information required, contain a statement that the applicant is a war or armed conflict veteran and that his disability was service incurred. The county treasurer may likewise require of such applicant the production of such applicant's discharge papers. Any person serving or who has served in the armed forces of the United States during any part of any war or the armed conflict in which the United States [is now] was engaged in Korea, and who is being hospitalized or is in a convalescent camp within the Commonwealth, shall be issued a license as above provided without the payment of said license fee provided for the use of the Commonwealth.

"(c In case the license certificate is lost or destroyed, a duplicate can be secured from the Department of Revenue by making affadavit to that effect. In case the button is lost or destroyed the licensee can make a duplicate, and in case both the licensee certificate and the button are lost or destroyed, a new license and button may be secured from the Department of Revenue upon making affidavit to that effect, and the payment of a fee of fifty cents (50c.

"(d) Upon the making of an application by any person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes, and the payment of a fee of one dollar ($1) for the use of the Commonwealth, such person shall be entitled to a special eel chute license, and a special metal tag, which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch, below the bridge at the Northumbreland-Lycoming County line on the west branch, in the Juniata River below Mount Union and in the Delaware River in accordance with the provisions of this act.

"Section 2. Section 221 of the act amended in part May 22, 1953 (P. L. 211) and July 27, 1955 (Act No. 106) is amended to read:

"Section 221. Non-resident and Alien Non-resident Fishing License Fees; Tourist Fishing License Fees for Non-residents and Alien Non-residents. A. For the purpose of this article, every person, twelve years of age and upward, upon application to any issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a Canadian subject or citizen or a non-resident of this Commonwealth but a [citizen] resident of the United States [and, in the case of naturalized foreign-born non-residents, the production of such applicant's naturalization papers] shall, upon the payment to the issuing agent or the Department of Revenue of the same amount as is charged and received from non-residents by the State of which the applicant is a resident or the country of which the applicant is a subject or citizen for a similar license, plus the amount charged and received for a trout stamp or permit in cases where they are required (not, however, less in any case than two dollars and fifty cents ($2.50) and, in the event that the license is issued by an issuing agent, the payment of ten cents (10¢) for the use of the issuing agent, be entitled to the license herein referred to as a 'non-resident fishing license.'

"B. For the purposes of this article, every person, twelve years of age and upward, upon application to any issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a non-resident of the Commonwealth but a [citizen] resident of the United States [and, in the case of naturalized foreign-born non-residents, the production of such applicant's naturalization papers] or a Canadian subject or citizen shall, upon the payment to the issuing agent or the Department of Revenue of a license fee of two dollars and fifty cents ($2.50) for the use of the Commonwealth, and, in the event that the license is issued by an issuing agent, a fee of ten cents (10¢) for the use of the issuing agent, be entitled to the license herein referred to as a 'tourist fishing license' which shall be valid for a period of five (5) consecutive days.

"In case the license certificate is lost or destroyed, a duplicate can be secured from the Department of Revenue by making affidavit to that effect. In case the button is lost or destroyed, the licensee can make a duplicate, and in case both the license certificate and the button are lost or destroyed, a new license and button may be secured from the Department of Revenue upon making affadavit to that effect and the payment of a fee of fifty cents (50c).

"C. Any person serving or who has served in the armed forces of the United States during any part of any war or the armed conflict in which the United States [is now] was engaged in Korea, and who is being hospitalized, or is in a convalescent camp within the Commonwealth, shall be issued such license as provided in subsections A and B of this section, without the payment of the said license fee provided for the use of the Commonwealth.

"The application for the issuance of a license in such case, shall in addition to the other information required, give the serial number of the branch of service to which the applicant is attached, together with the applicant's rank and the hospital to which he is attached; and a certificate from the person in charge of the hospital or other place in which such person is confined or to which he is attached."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Messrs. HALUSKA and VAN SANT offered the following amendments:

Amend Sec. 2, page 3, line 7 by striking out "Section 2 Section" and inserting in lieu thereof: "Section 3. The heading of chapter XI and section"; Amend Sec. 2, page 3, line 8 by striking out "is" and inserting in lieu thereof: "are"; Amend Sec. 2, page 3 by inserting between lines 8 and 9: "Chapter XI "Unnaturalized Foreign-Born [Residents] Persons"; Amend Sec. 2, (Sec. 240) page 3, line 9 by inserting a bracket before "Unnaturalized"; Amend Sec. 2 (Sec. 240) pages 3, lines 10 and 11 by striking out "unless holding a valid resident fishing license as provided by this act"; Amend Sec. 2 (Sec. 240) page 3, line 13 by inserting a bracket after "the" where is appears the first time in said line and inserting immediately thereafter: "Special Fishing Permits.—the"; Amend Sec. 2 (Sec. 240) page 3, lines 16 and 19 by inserting a bracket before "Each" in line 16 and after "offense" in line 19; Amend Bill, page 3, by inserting after line 19: "Section 4, Section 241 of the act is repealed".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. HALUSKA and VAN SANT offered the following amendment:

Amend Title, page 1, last 3 lines of Title, by striking out "authorizing" third from last line and all of last two lines and inserting in lieu thereof: "permitting aliens to obtain licenses to fish".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that Senate Bill No. 584, Printer's No. 267, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

REQUEST THAT BILL GO OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that Senate Bill No. 657, Printer's No. 278, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, unless there is some real good reason why this bill should be passed over, I would like to have it read for the second time so that we can vote on it on third reading and final passage tomorrow. It seems as though I have gotten in wrong before by going along with Senator Haluska in his requests to have bills passed over in order, especially concerning what happened to me on that school appropriation bill for which I got the dickens in last Sunday's Harrisburg newspaper. I just do not want to fall into that trap again. Therefore, unless there is a pretty good reason for not doing so, I would like to have this bill read for the second time.

Mr. HALUSKA. Mr. President, I would like to inform the Majority Leader that if he goes along with me, he will never get into trouble. It is when he forgets about me that he may get himself in trouble. I have kept him out of trouble for many years.

Mr. President, I have been told that the House has a bill similar to this, and I would like this bill held over until tomorrow in order for me to check the House bill. Then, after we check the House bill, we can move it up.

Mr. BARR. Mr. President, this bill does what the Majority Leader complained about this afternoon. It appropriates money from the last biennium. Which I would like to know, before we vote on it on second reading, is if this money has been lapsed. We knew that the money was not lapsed in the bill we voted on this afternoon. However, can the Majority Leader tell me whether this money has been lapsed over in the Department of Welfare?

Mr. MAHANY. Mr. President, I asked someone this afternoon — I believe I asked Mr. Stoner — who is affiliated with the Committee on Appropriations whether or not this money had lapsel. He advised me that it had not. Why can we not run it on second reading and tomorrow, if this money has lapsed, then we will be in a similar position as we were on those other bills. However, I hope that you do not try to disqualify those other bills now. If you do, the schools will have to close up. This is perhays along the same line, although it does not appropriate anymore money in this bill. The same amount is appropriated. That is how it differs from the other bill that we were talking about.

Mr. DENT. Mr. President, this afternoon, when we were debating, we were not raising the appropriation. We were just putting back the same appropriation that was passed in 1953 and 1955. If you will read this bill, on page two, line 13, it reads: "is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June 1, 1953."

Mr. President, at that time I made the point that we were not increasing the appropriation. We were re-appropriating the money that was appropriated in 1953, and that is all you are doing with this bill. I will be glad to go along and let it pass second reading, because it is only being consistent. I am ashamed to say that you are not being consistent because this afternoon you fought this very thing and said it was illegal, that you had never done it this way before, that it was — I do not know whether you used the word unconstitutional or not, but this is identically the same maneuver that we put on this afternoon and which you objected to.

Mr. MAHANY. Mr. President, it is not quite the same because I understand that this appropriation has not lapsed; whereas, the other one had lapsed. In fact, there is no money in there to appropriate. In this one, I understand that the money is still available.

I would say this, Mr. President, that if this passes

second reading and we have it on third reading, and tomorrow we find out that this money has lapsed and there is nothing there to pay this, I will be the first one to make a motion that it be recommitted, but I cannot see how we are going to accomplish anything by holding it up on the second reading calendar.

Mr. DENT. Mr. President, I do not like to make an issue at such a late hour, but the money was lapsed and the difference between our positions is that the money this afternoon, in House Bill No. 1555, was not lapsed. That money was borrowed with an act of the Legislature from the fund. It was never taken out and lapsed. This money, according to the records of the deparmtent, was lapsed and now you are putting it back in by a re-enactment of the appropriation of 1953.

Mr. MAHANY. Mr. President, Senator Dent and I cannot settle this argument even if we argue for the next half hour. All I am requesting is that we read the bill for the second time and then tomorrow morning he and I will go to the Appropriations Committee and find out for sure whether or not it has lapsed. If it has lapsed ,then we will recommit the bill on third reading.

REQUEST THAT BILL GO OVER IN ORDER WITHDRAWN

Mr. HALUSKA. Mr, President, just to make certain that the gentleman from Crawford does not get himself into trouble, I shall withdraw my request that this bill go over in its order, so that he will be on safe ground and have a good sleep tonight.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 657, entitled:

An Act amending the act of August 22 1953 (Appropriation Acts 101) entitled " An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 672, on second reading, entitled:

An Act authorizing cities boroughs incorporated towns townships and counties to create historic areas within their geographical limits providing for the appointment of historical boards empowered to preserve historic buildings and to regulate the erection reconstruction alteration restoration demolition or razing of buildings within the historic areas

be placed on the Second Reading Postponed Calendar.

Mr. CHAPMAN. Mr. President, I second the motion,

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 673, on second reading, entitled:

An Act relating to historic sites and structures declaring the same to be affected with a public interest prohibiting the destruction defacing or altering thereof without approval of the Pennsylvania Historical and Museum Commission constituting the commission a legislative agency for the purpose of this act authorizing it subject to appeal to determine the educational value of such sites and structures providing for injunctions authorizing the commission to provide for the maintenance and preservation of such sites and structures and prescribing penalties

be placed on the Second Reading Postponed Calendar.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that Senate Bill No. 746, Printer's No. 275, on second reading, go over in its order.

The President. Is there objection? The Chair hears none.

MOTION TO RECOMMIT BILL

Mr. DENT. Mr. President, I move that Senate Bill No. 785, on second reading, entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursements to school districts be recommitted to the Committee on Appropriations.

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, the Republican Senators have been accused of holding up school appropriations and of putting the Commonwealth's schools in a position where they might well have to shut down, and we certainly do not deserve that condemnation. We feel that we are now ready to appropriate whatever money is necessary so that the schools of this Commonwealth need not shut down.

I checked today with the Budget Director and he told me that there were sufficient funds in sight so that this bill, in the amount which we have it, could pass and the Governor could properly sign it. Therefore, we are here ready to do the job. We do not want to pick up the paper a couple of months from now and find that some editor is taking us apart because we did not do the job that we were supposed to do.

If this is a Republican controlled Senate, which they say it is, we intend to do the job as we see it. If you fellows are gong to keep throwing roadblocks in our way, we are just going to keep kicking them aside because I am serving notice on you that we are going to do the job as we see fiit. If you do not want to do it, you just keep on talking and then when you get through we are going to vote according to the way we see fit. We are going to run this Senate the way we want to do it. When you get this bill over in the House, where it is controlled by the Democrats, then you can do it over there the way you want to. We are going to fulfiill our obligation to the people of the State of Pennsylvania, and we are not going to lay down and let you fellows kick us around and then get a beating in the papers because we did not do our job. We intend to do the job, Senator Dent, in spite of you.

Mr. DENT. Mr. President, I recollect that a little while

ago this afternoon the gentleman said that he never threatened anybody. If I understood him, he threatened a little but my disposition is the same now as it was then. I do not scare very easily.

Mr. President, if the job is to be done and you really want to do it, there was a bill introduced on June the 27th which is House Bill No. 1599, and it has been in committee for this many past months. If there is any difference in the bill, it is in the amount of money. The only difference that I can find is that the House appropriated $426,000,000 for schools in Pennsylvania and the Senate Bill appropriates 421,000,000. Before we can vote for this bill, we will have to be told, and I think it is only fair since you say that you are going to run it the way that you want to run it, where you are going to get the money for the appropriations. You ought to tell us what kind of a tax you are going to pass. You are going to tell ue, if you will, and I think that is within our prerogatives, where you cut the $5,000,000 and which part of the school budget does not require the $5,000,000. If the schools can get by with $421,000,000, we ought to be told how they can get by. I am sure that the Governor and the Democratic Party do not want to contribute any more money to the schools than is required for the operation of the schools.

Mr. President, I think that all of us understand that if this bill passes tomorrow, it still will require at least three days in the House. Since you took from June the 27th to study the bill which came over from the House, you certainly do not expect the House to take your bill tomorrow and bring it out of committee on Thursday, work Friday, bring it out Saturday and pass it finally. I hope you do not think that small of the House that they are not given some opportunity to study your bill. If you are really serious about it and you want to help the schools, and I think there are some of you who do, then you ought to have brought out upon the floor the House bill which was considered in your committee for many, many months. The bill was open for study from the first day that it went into the House of Representatives. It gained a great deal of publicity from June the 27th, and sometime around the middle of September it came over to the Senate, and from that day to this you have had all the opportunity in the world to study it. Now you say that you are sincere, that you are going to run the Seante the way you want to run it and nothing we say or do will stop you. We understand that, for it has been that way for sixteen years and there is no change in that policy. However, I think that in fairness to everybody you should tell us where you are going to cut the $5,000,000 before we can afford to give you a vote.

I moved that the bill be sent back to committee. You can still bring out the House bill and get it passed long before you can pass this bill. If the schools break down, I know that the newspapers may rap you and they may rap us, but if the editors of the State of Pennsylvania want to run the State of Pennsylvania, let them run for the Senate. It will not hurt them a darn bit. They can run for the Senate and then their editorials will not be today's news in tomorrow's graveyard because they can write an editorial today and if it does not suit, tomorrow they will change their editorial but once we vote, we cannot change it. We are not going to be stampeded into any position in this Senate of Pennsylvania, at least by our votes, because some newspaperman did not like what we did. I would venture to say that there are just as many editorials one way as there are the other. If they would only tell me which newspaper they are listening to, then I would read that editorial and know how we are going to vote. Today you read one editorial and it confuses you, and tomorrow you read another one. Now, you cannot read them all. If you want to size up a real policy in politics, read none of them. Read the news that these boys write, for that is more accurate.

I made a motion that the bill be sent back to committee, and I understand that it will not be sent back because I have been warned that you are going to run the Senate the way you want to run it. That is perfectly all right. When you are ready to tell us how you are going to get $421,000,000 to provide the money for this, then we will vote on the bill. When you take the money out of the treasury to provide for this, you will close every hospital in the State of Pennsylvania. You will close every state teachers college in the State of Pennsylvania. If you take the $421,000,000 out of present taxes and present tax anticipation notes in this Commonwealth, you will close down the functions of government unless you pass the taxes to meet this bill. Tell us now, if you will, where you are going to get the taxes and where you cut the $5,000,000.

Mr. PECHAN. Mr. President, in looking over the history of House bills on page 279, I note that House Bill No. 1599 was referred to the Committee on Appropriations in the House on June the 28th.This bill was reported, as committed, on July the 12th, passed first reading on July the 13th, passed second reading on July the 18th, was recommitted to the Committee on Appropriations on August 2, re-reported as committed, on September 13 and passed third reading and final passage on September 14. The bill was referred to the Committee on Appropriations in the Senate on September the 19th.

Mr. President, it seems that the House had the bill a lot longer than we did. The distinguished gentleman from Westmoreland wants to know where we expect to get the money. Senate Bill No. 785, which was co-sponsored by myself, Senator Whalley and Senator Wagner, is a section of the omnibus bill, House Bill No. 1599. We felt it our responsibility to introduce this bill. The schools, in some areas, were suffering as a result of not receiving the appropriations which were their just due. If we understand this bill correctly, the appropriations which were due in some cases last April, and will be due in October, were earned during the last year. There is no guessing about it. We owe that amount of money.

Before preparaing this bill, Mr. President, my source said that this appropriation could be cut $10,000,000 from the original $426,000,000 which was in the bill. In order that we would not get stymied, I compromised and instead of taking the $10,000,000, which some of my colleagues felt could be taken out of the bill without hurting one service, I cut the $10,000,000 and instead of introducing a bill for $416,000,000, I introduced one for $421,000,000.

Mr. President, the area of difference between the department of Public Instruction's estimate and my estimate is principally in the bonus for the new school district jointures or unions which may be resolved in this next biennium. I think the department's estimate is that we

are going to have some 5,000 new unions and jointures, but we do not feel that there can be that many because we have lost ten months out of this year, and many of the districts that had intentions of becoming jointures or unions have withheld their action because they do not know what this present Session of the Legislature is going to do. The department's figures are for the bonuses. We do not intend to cut down any of the bonuses which the school districts, the old jointures or even the new jointures, are presently getting under the old law. We do not intend to cut down on these bonuses. We just feel that they have overestimated the amount that it is going to cost. In that area alone, we feel that we can save $2,500,000.

In the area of special education, which covers a variety of fields, the department feels that it is going to cost $8,500,000, and we feel that it can be done for $3,000,000. Maybe their estimates are high; maybe mine are low, and for that reason my figure of $5,000,000, instead of $10,000,000, was introduced into this new measure.

Mr. President, they want to know where the money is going to come from. As I understand it, we have on the other side two gentlemen who are ready to introduce to this very same bill an additional $48,000,000. I have been told that the Budget Bureau has informed us that the $421,000,000 which will be paid throughout the biennium, for just this one phase, is available. Mind you, it is not all going to be paid out at the present time. What we are presently interested in is to pay the subsidies to the school districts which are past due; namely, the April and October subsidies. The end of the biennium, as you know, does not come until the middle of 1957. You do not need the $421,000,000 at this time.

I want to say this, Mr. President, that when a tax measure comes over from the House which is, in my mind, fair and constitutional, you may rest assured over on the other side that I will vote for it. I am not voting for any additional costs. I am voting for a measure which came over from the House, and it is an emergency measure. We are talking about our schools and I am interested in our schools.I am interested in not only the child, but I am interested in the school teacher. I have been on the school board in my local community of Ford City for twenty-six years. I know how difficult it is to get good schoolteachers. I also know, as Senator Seyler is probably going to say, how difficult it is to get good schoolteachers and to hold them.

Mr. President, before those amendments are offered, which I understand are going to be offered by Senator Seyler and Senator Hays for an additional $48,000,000, you may ask them, Senator Dent, where they expect to get it.

POINT OF ORDER

Mr. HOLLAND. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Holland, will state his point of order.

Mr. HOLLAND. Mr. President, the gentleman is talking about hearsay and not anything which is before this Senate at this time. The motion is to recommit.

The PRESIDENT. The point of order is well taken. The discussion has all been on the bill. However, it should be on the motion.

The Chair has permitted a lot of latitude in all discussions tonight. The gentleman will confine his remarks to the question.

And the question recurring,

Will the Senate agree to the motion?

Mr. PECHAN. Mr. President, I tried to confine my remarks to the question before the Senate. Senator Dent asked several questions and I am trying to answer them. I am trying to tell him how I am willing to stand up and pay for the $421,000,000 about which he is talking.

I am opposed to recommitting this bill because I feel that the school districts, especially those which have a high reimbursement fraction, are in dire need of money and they should be taken care of. I am now willing, if it takes until six o'clock tomorrow morning, to stand here and see that those districts do get their reimbursement.

Mr. DENT. Mr. President, all of us admire the gentleman from Armstrong for his avowed intention of standing here and bleeding and dying until morning for the schoolteachers and we applaud him for it. We think that is a wonderful spirit. We think he should do that. However, it may interest him to know that he read the record of House Bill No. 1599, but he failed to read the fact that it passed the House by 174 votes to one. Evidently, his Republican colleagues in the House did not share his feelings on this legislation.

I might also remind the gentleman that I do not know how he is going to get 5,000 mergers and unions and consolidations in the State of Pennsylvania when there are only twenty-four hundred and some odd school districts in the entire State. We might borrow a few from New Jersey, if you want us to. However, I do not think we will need to at this time. I also might call to his attention that when you cut out House Bill No. 1599, you cut out all of the features in Pennsylvania from vocational education, education for partially sighted children in the public schools, for farm and home safety education, for the payment of salaries and general expenses and equipment for revising the elementary, secondary and vocational curriculum in the public schools, for the payment of salaries, general expenses, supplies, printing for the Public School Retirement Board, for the payment of salaries, wages, posting and printing of other necessary expenses for the rehabilitation centers as provided by law, for all of the mentally handicapped children, as provided by law; for all of the other payments to the Department of Property and Supplies, mileage charges, automobiles, purchase supplies and fuels.

Of course, you can pay the schoolteachers if you do not give them any tools with which to work. I say now, and I say again, that this is another one of the little political strategies. We know that you are going to vote for it. You are saying that you are willing to bleed and die until six o'clock tomorrow for the schoolteachers. If you are, you can take the House Bill and you will not have to bleed that long or die that long, because the bill can pass here in three days and it will be finished business. It will become an act of the Commonwealth and will then take effect. However, I doubt whether the House would go along with the bill, their own bill or your bill, until the money is forthcoming. I can understand the Budget Director telling you there is money in the till. You asked him if there were $421,000,000 available in the next biennium over the taxes that we now have. That is true;

there is. However, it is just as true, Mr. President, that unless you pass taxes, you will close every hospital in this State. You will close every mental institution in Pennsylvania. You will close all of the State Teachers Colleges if you pass this kind of legislation without providing finances for it. You have cut out all of the necessary services to pick out the one which has political significance. All the handicapped children probably cannot hurt you politically. The partially sighted cannot hurt you politically. All of these needy children cannot hurt you. Therefore, all you do is pick out that particular phase which affects you politically. You are going to make sure that the schoolteachers are paid for the next biennium. Therefore, you are going to pass this legislation to take care of the school districts back home.

I do not know what the House will do, but I am almost sure, Senator Pechan, that if you bleed and die until morning, it will not mean a darn thing because I doubt if the House of Representatives will pass any legislation appropriating $421,000,000 as a final act of this Legislature, or any other sizeable legislative sum, without passing tax bills.

Mr. PECHAN. Mr. President, I cannot concur in the thinking of the Minority Leader when he says that the House will not pass this bill. House Bill No. 1599, Senator Dent, has already passed the House with a much greater amount. The entirety of House Bill No. 1599 contains many, many more millions of dollars. That is my thinking. I am not a member of the Committee on Appropriations. I have not had a chance to vote on House Bill No. 1599. I took out one segment.

I want to tell you that when the rest of House Bill No. 1599 comes up for consideration, that will not mean the handicapped children or the partially sighted people are going to be neglected. We are going to come to that when we see that the money is going to be forthcoming to take care of the entire appropriation. You said the House would not pass it. You said the House would not take $421,000,000. However, the House has already passed House Bill No. 1599 which costs much more. It costs over $500,000,000, and without a tax measure. When the House sends over a tax measure, as I said to you before, that I think is fair and constitutional, I am going to vote for it if I am the only Republican on this side, not because I am bleeding for the schoolteachers. I am not. It is a debt that they established in the school year of 1954-1955. We owe it to them, and to my way of thinking we can take care of it and pay it. If the House does not want to take a piece of the bill that they originally passed, then they are playing politics. Believe me, Senator Dent, I am not playing politics. Schools are no place to play politics.

Mr. DENT. Mr. President, my memory is pretty good and I think I remember week after week, after week when the Republican Floor Leader was on the floor demanding that the House pass the appropriation bills over here so that they could study or look into them. So far as the House is concerned, if my memory again serves me correctly, they passed sufficient tax legislation over here to the Senate to cover all of the revenue needs of the Commonwealth of Pennsylvania.

I understand, also, from the remarks of the gentleman, that he personally compromised from a $10,000,000 cut to a $5,000,000 cut. I also understand that when a bill is, to his mind, constitutional, he will vote for it. I may be wrong, but I doubt if we are cloaked with the right to declare a bill constitutional or unconstitutional when we are elected to the Senate. I remember that usually it is the prerogative of the Supreme Court to decide whether a bill or any act of this Legislature is constitutional or unconstitutional. What the gentleman may have been trying to say was that of he could pass bills like this for $421,000,000 over to the House, then they would be stamped because of the need of the present school districts in the Commonwealth, and then they would pass this and have to take some kind of legislation that he would approve for taxes in order to pay for the bill. I do not think the House so willingly will approve his line of thinking. I think the House is made up of men of strong character and good reputation. I think they will hold up this particular piece of legislation until someone on the Republican side decides where we are going to get the money.

And the question recurring,

Will the Senate agree to the motion?

Mr. DENT. I ask for a roll call, Mr. President.

Mr. BARR. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. DENT and Mr. BARR, and were as follows, viz:

YEAS—12

Barr,	Haluska,	McGinnis,	Seyler,
Camiel,	Hays,	Miller,	Silvert,
Dent,	Holland,	Schmidt,	Stiefel,

NAYS—24

Berger,	Kessler,	Pechan,	Van Sant,
Blass,	Kopriver, Jr.,	Peelor,	Wade,
Diehm,	Madigan,	Propert,	Watkins,
Flack,	Mahany,	Scott,	Watson,
Fleming,	Mallery,	Stevenson,	Whalley,
Harney,	McPherson, Jr.,	Taylor,	Wolfe,

So the question was determined in the negative.

BILL ON SECOND READING

AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 785, entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursements to school districts.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. SEYLER and HAYS offered the following amendment:

Amend Sec. 1, page 1, lines 1 and 2, by striking out "four hundred twenty-one million eight hundred forty thousand dollars ($421,840,000)" and inserting in lieu thereof: "four hundred seventy million dollars ($470,000,000)";

On the question,

Will the Senate agree to the amendment?

Mr. SEYLER. Mr. President, I heard with some dismay

and considerable incredulity a speaker on this floor say that if this bill were passed, it would provide for the educational needs of the Commonwealth for the next biennium. I think anyone who is informed about the needs of the educational system of this Commonwealth, and who is sincere in his desire to see that we have a good educational system, would completely disagree with that statement. It would by no means meet the educational needs of the Commonwealth.

Certainly one of the most important needs which exists is the need for a competent and adequate staff of teachers. Without boring you with the metaphor about Garfield and the law and Mark Hopkins, it certainly is pretty well agreed by anyone who knows anything about the learning process that next to the child, the most important factor in the educational system is the teacher. No matter how good the buildings are, no matter how good the equipment, there is nothing which will substitute for a well educated, sympathetic and sincere teacher. The Commonwealth of Pennsylvania faces a real crisis and if the author of this bill, who said just a few minutes ago that he is interested in seeing to it that the educational crisis is met, wants to think in terms of the real crisis in education, it lies right in the area about which I am talking right now.

Mr. President, I have here some figures which are published by the Department of Public Instruction, in Bulletin No. 75, entitled "Operation Birth Rate Continues." In that statistical table, which refers to the number of elementary and secondary school-teachers that will be needed during the coming years in this Commonwealth, I find the following figures:

The total number of teachers that will be needed in the year ending 1956, the complete staff, will amount to 69,968. That will represent an increase of 5,080 new teachers. In the year ending in 1957, a total of 71,789 teachers will be needed. That will represent an increase over the previous year, to take care of replacements and the growth in teaching units, of 6,206. I will not continue with the projection, but I will say that by 1960, a total of 77,851 teachers will be needed and that is at a rate of increase of more than 6,000 teachers a year.

Mr. President, this shortage of good, competent teachers about which I am talking is not in the future. I gave projected figures. However, the shortage of good competent teachers in this Commonwealth exists right now. Ask any member of a school board who has the job of seeing that he has teachers to man his classrooms, and he will tell you the difficulty of securing competent teachers. There are thousands of uncertified teachers on emergency certificates in this Commonwealth right now. In other words, at the present time, without thinking about the future, we have many substandard teachers in the classrooms of Pennsylvania. This need will increase as the birth rate increases. No matter how powerful any figure in this Senate feels that he is in influencing legislation, I defy him to do anything about this increasing birth rate which is burdening our schools with more children each year.

We are not only thinking in terms of the number of teachers; we are thinking of the quality of the teachers. That is important. Certainly, you can find someone to be in the classroom. However, we are interested in getting the best possible teachers for the Commonwealth of Pennsylvania. We are interested in obtaining teachers who begin their careers as talented young people, as people of above average ability. Those are the kind of people we need in the profession, if we are to continue having good public schools.

You know, Mr. President, any other phase of the educational process that we want to repair or improve can be done without too much difficulty by an appropriation, followed by appropriate action. For example, if you are short of school buildings, you can appropriate funds and within a year or two, the buildings can be built. However, you cannot produce teachers in a year or two. You cannot appropriate teachers. Teachers are trained by a long process which begins back at the time when they are attending high school. In order to provide good teachers, you must provide the kind of inducements that will get our talented young people to go into the profession. Then, you must provide the kind of living that will induce those teachers to stay in the profession. Remember, we are competing with other States; we are competing with other professions, and every year, Pennsylvania loses many of its fine teachers to both of those competitors. If we want to meet that competition, there are, perhaps, a number of things that can be done. Certainly, the most important and most basic thing in making the teaching profession one that will attract and hold good individuals of above average ability and with the proper qualifications of character, sympathetic personality, is a good living wage, adequate salaries. At the present time, it is my belief that this condition does not prevail in Pennsylvania. I think the real crisis in education is this need for good adequate teachers, which we are not meeting because of our limited salary schedule.

Mr. President, there are bills in the House of Representatives which would provide a more adequate salary. However, those bills have been kept in committee very properly. Until there is money appropriated, there is no sense in passing these bills.

This amendment will provide the necessary appropriation so that it will be possible to give teachers a more adequate and more appealing salary schedule. This bill will provide a total of more than $48,000,000, in addition to what is in the contents of the bill which is before us. Five million dollars of that sum will raise the amount in that bill to the amount which was previously in the budget. The remaining $43,000,000, plus, will make it possible to give the teachers of Pennsylvania an increase of $200 over the next two years of the biennium. This is probably not the whole program which should be adopted to make our salary schedule fairly adequate. However, it does represent a part way—it represents a move that will encourage young people to go into the profession. It will encourage teachers to stay in the profession.

It is not only the teachers of the Commonwelath who are interested in this bill, believe me. Anyone who is interested in having good public education is interested in this move, because it is the parents and their children who are going to suffer the consequences of our failing to meet the crisis which stares us in the face with public education. Our manufacturers, our businessmen, our labor unions, all of the enterprises of the Commonwealth are interested in having good education and well educated citizens in Pennsylvania. One of the reasons why Penn-

sylvania has stood head and shoulders above many of its sister States in the surrounding area is because of a constant supply of well educated men and women, good citizens.

Mr. President, I think this bill is a very simple one. I trust that my explanation of it has reached you. To me, it represents a chance for every man in this Senate to go on record as to his position about an adequate system of public education in the Commonwealth. A vote for this amendment will be an encouraging vote for the parents, for the teachers and for every citizen of Pennsylvania who is interested in a good public education system.

As I see it, Mr. President, the issue has two phases. I would like every man to examine his own conscience; forget about political commitments or any other kind, and answer these two questions for himself. Are you for a good educational system in Pennsylvania? Secondly, will you vote now to see that the money is appropriated to make it possible to retain a good system of public education by helping to meet the crisis and the need for adequate and competent teachers in the Commonwealth?

Mr. MAHANY. Mr. President, I stated a little while ago that I had called, earlier in the day, the office of the Budget Director, Mr. Bradley. He told me that the Governor could sign a bill which provided $421,840,000. I did not ask him whether or not the Governor could sign one which provided $470,000,000. It might well be that if we voted for this amendment, the Governor might very well have to veto it and then the schools would not get anything.

Senator Seyler has made out a very good case for the school teachers, and I agree with him that we need good school teachers in the State of Pennsylvania. That is one of our prime objectives, to see that we have the best schoolteachers that it is possible to obtain in the State of Pennsylvania and that they are properly compensated. However, Mr. President, this bill, if we accepted his amendments, does not give the schoolteachers any more money. He has led these schoolteachers to believe that if we accept these amendments they will, each of them, get a certain increase. That is Just not the truth. The schoolteachers are interested in House Bill No. 583 and House Bill No. 584. I have received numerous communications from individual schoolteachers, and also, I have received communications about these bills from their education association. The bills, to accomplish the purpose which the Senator would like to have attained, were introduced in the House on March 9, 1955. They have bipartisan sponsorship. They have been languishing in the committee in the House since March 14, 1955. The House saw fit to pass the appropriation bill to take care of schools, as Senator Dent pointed out, and they did not include this extra amount.

Therefore, we must only conclude that the House did not intend to pass House Bill No. 583 and House Bill No. 584. What do we gain by encumbering the record and confusing the issue? I say that we are not gaining anything. We are just delaying this bill so that the school districts throughout the Conmmonwealth will be in a state of uncertainty, and so that they will not know whether they are going to receive this money or whether they are not. I think the only proper procedure is for us to pass the bill in the amount which is now, we will say, necessary. Then, if the House and the Governor—I am sure that Senator Seyler is acquainted with the Governor—decide that they are going to get back of bills which will increase the schoolteachers' salaries, then let them pass those bills in the House and add the amount of the appropriation which will be necessary to take care of it. They should certainly decide on the type of taxation that will be necessary to take care of this extra amount needed. If they do those things, then we will, in the Senate, be in a position to pass the necessary legislation which will take care of the objectives which the Senator from York should like to have taken care of.

Mr. President, I do not know whether Senator Seyler has received the blessing of the administration on his amendments, or whether he is doing this on his own. I presume that he must have talked with sometbody or he would not be putting in these amendments. I want to say to him that I, just being an individual Senator from Crawford and Mercer Counties, do not see my way clear to vote for these amendments at the present time because they do not accomplish the objectives which the Senator has set forth. However, I do want to have an opportunity to call a Caucus of the Republican Senators so that they may discuss this and perhaps some of them would like to vote for the amendments.

MOTION TO RECESS

Mr. MAHANY. Mr. President, at this time, I move that the Senate do now take a fifteen minute recess for the purpose of holding a Republican Caucus.

Mr. PECHAN. Mr. President, I second the motion.

On the question.

Will the Senate agree to the motion?

Mr. SEYLER. Mr. President, the gentleman from Crawford, Senator Mahany, is breaking off the debate here at a time when he has made some allegations, some of which, I think, even reflect upon me personally. If I can have the floor in no other way before his motion is acted upon, I would like to do it on the matter of Personal Privilege.

Mr. MAHANY. That is all right, Senator. All I ask is that you give me a chance, after you finish, to make the motion for a fifteen minute recess.

MOTION TO RECESS WITHDRAWN

Mr. MAHANY. Mr. President, I withdraw my motion that the Senate do take a fifteen minute recess at this time.

Mr. PECHAN. Mr. President, I withdraw my second to the motion.

And the question recurring,

Will the Senate agree to the amendment?

Mr. SEYLER. Mr. President, I thank the gentleman for his consideration.

Mr. President, Senator Mahany said that somebody is confusing the issue and I think he was referring to me. It would help a great deal if Senator Mahany would listen to the speeches that are made before he gets up. I certainly believe, and the record I believe will show, that I explained in my original remarks that this bill does not set forth the method by which this should be paid. I said that those bills were in the House. All this bill does is provide the necessary money and appropria-

tion so they can be paid. I said that, and there was no necessity for the Senator to repeat it and infer that I did not know what I was talking about.

However, Mr. President, I would tell Senator Mahany this He does not need to think that he can kid the schoolteachers and the parents of Pennsylvania by that kind of an argument. They know that if no money is provided in appropriations, there will not be any bills. They are looking for us, tonight, to furnish the necessary money. That is the whole purpose of these amendments. If Senator Mahany thinks he can fluff it off by saying, "The bills are not passed; they are over in the House," then the people of Pennsylvania, particularly those parents and those teachers who are interested in following this problem and who are sending him the many telegrams he referred to, probably are not going to be fobbed off with that kind of an argument. They know that you must have the money or there is no point in passing the bills. The bills are there; they will never move if the money is not appropriated.

The gentleman had some question about how these bills can be financed. A short time ago, I read in the newspapers and heard some comments on the floor which led me to believe, although I have not participated in them myself, that some conferences are being held at the present time discussing the budget. As I understand the position of the gentleman, his positionis that those amounts should be made smaller. Now certainly, if we have reopened the budget, if we are in conference at the present time to decide on what the figures shall be, any figures that appeared in the budget before are out of the window. It is the gentleman and his friends who are questioning that budget and have thrown this matter open.

I would say that if this Senate, and subsequently the House, would decide that the teachers of Pennsylvania should have the necessary money appropriated so that they can have increases in salary and so that we can have a good educational system, the gentlemen who are in the conference, gentlemen of wisdom all, will be able to find a way to finance and find the necessary revenue.

Mr. President. I have a profound conviction that the people of this Commonwealth want good public education. I have a similarly profound conviction that if they understand the issue, they will be in favor of the necessary finances to make a good educational system possible.

Therefore, I would implore the gentlemen not to fluff us off with dialectial arguments about the bills being in the House and that we are not acting on the bills which actually make the salary increases, for that is apparent and I explained that the first time. However, do not fluff off the people, who are interested in a good educational system, by that kind of an argument. They know that first the money has to be provided; the appropriation must be made and until that appropriation is made, those bills cannot move. They are looking to us tonight to vote the necessary appropriations so that there can be activity and so we can go ahead with getting a better educational system in Pennsylvania.

Mr. President, I now invite the gentleman to move for a recess.

Mr. MAHANY. Thank you, Senator, I will be happy to accept the suggestion.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for fifteen minutes, for the purpose of holding a Republican Caucus.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

And the question recurring,

Will the Senate agree to the amendment?

Mr. HAYS. Mr. President, I would like to speak on behalf of the amendment. The matter before the—

The PRESIDENT. Will the gentleman yield for a moment?

Mr. HAYS. I yield to Senator MAHANY.

(Discussion ended at this point, the question being, "Will the Senate agree to the amendment?")

ADJOURNMENT

Mr. MAHANY. Mr. President, the hour is growing late and rather than subject the Senators here to further punishment, since we have had a long day, I think perhaps it would be better at this time, in order to give this more consideration, more careful judgment in the light of tomorrow, if we adjourn.

Therefore, Mr. President, I move that the Senate do now adjourn until Tuesday, October 11, 1955, at 10:00 o'clock, a. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time, until Tuesday, October 11, 1955, at 10:00 o'clock, a. m., Eastern Standard Time.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

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SENATE

TUESDAY, October 11, 1955.

The Senate met at 10:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. PAUL S. MONTGOMERY, D.D., Pastor of the United Church of Aspinwall, Presbyterian, offered the following prayer:

O God, our Heavenly Father, we approach Thee with thankful hearts for the gift of another day, and for health and strength which are ours.

We share with the multitudes of our countrymen our thanksgiving for the goodly measure of healing strength vouchsafe to the President of our Nation; may Thy continued blessing in strengthening power be upon him.

And now, O God, we thank Thee for the opportunity afforded these Thy servants of doing important things in a day that needs important things to be done. Give to us all that insight which will enable us to do things at the highest level. May we hear the voice that should be heard; may our words be spoken with sincere conviction; may our actions be from honest motives.

By Thy mercy, help us to live and serve today at our best.

All these things we ask in the interest of Thy kingdom to come and Thy will to be done on earth as it is in Heaven. In Jesus' name we pray, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. McCREESH, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Dixmont State Hospital, for the term of four years and until their successors are appointed and qualified:

Dr. Joseph F. Novak, Pittsburgh, from November 18, 1953.

Victor L, Alski, Pittsburgh, from November 18, 1953.

Dr. Charles L. Hamilton, Jr., 232 Ridge Avenue, Ben Avon, Pittsburgh 2, Allegheny County, vice Robert G. Harris, Emsworth, removed from office.

Miss Elinor A. Sigel, 167 Pennsylvania Avenue, Emsworth, Pittsburgh 2, Allegheny County, vice Mrs. Mary D. Phillips, Pittsburgh, removed from office.

Mrs. Margaret B. McBride, 201 Cedar Drive, Pittsburgh, Allegheny County, vice Frank W. Ittel, Esq., Pittsburgh, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Locust Mountain State Hospital, for the term of four years and until their successors are appointed and qualified:

Israel Gray, Frackville, Schuylkill County, vice Ben Swirsky, Frackville, removed from office.

James Scott, Norwegian Street, Pottsville, Schuylkill County, vice John Ritz, Pottsville, removed from office.

Tom Ginley, Girardville, Schuylkill County, vice William R. Miller, Mahanoy City, removed from office.

Victor John Bindie, 615 West Penn Street, Shenandoah, Schuylkill County, vice Richard A. Lewis, Shenandoah, removed from office.

Raymond Troy, Gordon, Schuylkill County, vice Robert Davidson, Brockton, removed from office.

Joseph Navitsky, Shenandoah Heights, Shenandoah, Schuylkill County, vice Edward Strolis, Shenandoah, removed from office.

Peter Chaplinsky, Shenandoah, Schuylkill County, vice Joseph Nevadomski, Shenandoah, removed from office.

Joseph Kershetsky, Mahanoy City, Schuylkill County,

vice Mrs. Hawthorne L. Ball, Mahanoy City, removed from office.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Coaldale State Hospital for the term of four years and until their successors are appointed and qualified:

John Eagan, Palo Alto, Pottsville, Schuylkill County, vice John West, Tamaqua, whose term expired.

James Berrang, New Philadelphia, Schuylkill County, vice William Clements, Coaldale, whose term expired.

Joseph Holden, St. Clair, Schuylkill County, vice Arthur Snyder, Tamaqua, whose term expired.

James Donahue, Mahanoy City, Schuylkill County, vice Harry Kleckner, Tamaqua, removed from office.

Frank Evans, Nesquehoning, Carbon County, vice Dr. Joseph J. Humphries, Lehighton, removed from office.

Miss Margaret Mary McCall, 243 West Abbott Street, Lansford, Carbon County, vice Mrs. Martha Edwards, Lansford, whose term expired.

Joseph A. Hughes, Centre Street, Pottsville, Schuylkill County, vice Richard H. Evans, Coaldale, whose term expired.

Charles McFadden, 29 West White Street, Summit Hill, Carbon County, vice Thomas J. Whildin, Lansford, removed from office.

James Dougherty, Jim Thorpe, Carbon County, vice Robert Gormley, Summit Hill, removed from office.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Shamokin State Hospital, for the term of four years and until their successors are appointed and qualified:

Carleton M. Strouss, Esq., 117 North Oak Street, Mt. Carmel, Northumberland County, vice Frank A. Miller, Mt. Carmel, resigned.

William Ruffing, Union National Bank Building, Mt. Carmel, Northumberland County, vice Edmund Glowacki, Mt. Carmel, resigned.

Michael Stewart, 1471 Chestnut Street, Kulpmont, Northumberland County, vice George Shecora, Kulpmont, resigned.

Thomas J. Carr, 416 Center Street, Shamokin, Northumberland County, vice W. Irvin Wiest, Esq., Shamokin, resigned.

Michael J. Wanzie, 715 Pine Street, Kulpmont, Northumberland County, vice Fred D. Kessler, Northumberland, resigned.

Ralph Feudale, 51 South Franklin Street, Shamokin, Northumberland County, vice Frank J. Miller, Paxinos, resigned.

Stanley J. Kozloski, 1605 West Lynn Street, Shamokin, Northumberland County, vice Elmer Faust, Shamokin, deceased.

Thomas F. Landy, 316 East Dewart Street, Shamokin, Northumberland County, vice Carl Rice, Esq., Sunbury, resigned.

Archer Croll, 828 West Spruce Street, Shamokin, Northumberland County, vice Mrs. S. Elizabeth Barr, Shamokin, removed from office.

GEORGE M. LEADER.

MEMBERS OF THE STATE PLANNING BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Planning Board:

Theodore L. Hazlett, Jr., Esq., Counsel, Urban Re-Development Company, 200 Ross Street, Pittsburgh 19, Allegheny County, for the term of one year, and until his successor is appointed and has qualified.

Henning W. Prentis, Jr., Chairman of the Board, Armstrong Cork Company, Lancaster, Lancaster County, for the term of one year, and until his successor is appointed and has qualified.

Dr. Alfred H. Williams, President, Federal Reserve Bank, Philadelphia, Philadelphia County, for the term of one year, and until his successor is appointed and has qualified.

Edward Hopkinson, Jr., Chiarman, Philadelphia City Planning Commission, 1500 Walnut Street, Philadelphia, Philadelphia County, for the term of one year, and until his successor is appointed and has qualified.

Hon. John P. Robin, President, Regional Industrial Development Corporation of Pittsburgh, Pittsburgh, Allegheny County, for the term of two years, and until his successor is appointed and has qualified.

Dr. Martin D. Whitaker, President, Lehigh University, Bethlehem, Northampton County, for the term of two years, and until his successor is appointed and has qualified.

Hon. Curtis Bok, President Judge, Court of Common Plaes No. 6, Philadelphia, Philadelphia County, for the term of two years, and until his successor is appointed and has qualified.

Hon. Joseph S. Clark, Jr., Mayor, City of Philadelphia, Philadelphia County, for the term of two years, and until his successor is appointed and has qualified.

Hon. George B. Stevenson, Lock Haven, Clinton County, for the term of three years, and until his successor is appointed and has qualified.

Harry Boyer, President, Pennsylvania CIO Council, Harrisburg, Dauphin County, for the term of three years, and until his successor is appointed and has qualified.

Joseph A. McDonough, President, Pennsylvania Federation of Labor, Harrisburg, Dauphin County, for the term of three years, and until his successor is appointed and has qualified.

Hon. Harry E. Seyler, York, York County, for the term of three years, and until his successor is appointed and has qualified.

Dr. Thomas Parran, Dean, The Graduate School of Public Health, University of Pittsburgh, Pittsburgh, Allegheny County, for the term of four years, and until his successor is appointed and has qualified.

Adolph Schmidt, President, A. W. Mellon Educational and Charitable Trust, Pittsburgh, Allegheny County, for the term of four years, and until his successor is appointed and has qualified.

Dr. J. C. Warner, President, Carnegie Institute of Technology, Pittsburgh 13, Allegheny County, for the term of four years, and until his successor is appointed and has qualified.

GEORGE M. LEADER.

BILL SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 262, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" authorizing fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. HARNEY, from the Committee on Constitutional Changes and Federal Relations, reported as committed, Senate Bill No. 729, entitled:

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

Mr. STEVENSON, from the Committee on Local Government, reported as amended, House Bill No. 173, entitled:

An Act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and the regulation and maintenance thereof providing for continuance of existing funds or transfer thereof to funds herein established prescribing rights of beneficiaries and repealing certain acts.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, earlier in the Session, the sage of Washington County, Senator William Lane, and I announced our intention to prepare a bill dealing with the regulation of children's summer camps. We received numerous inquiries from the entire Nation, because it appears as though we have blazing a trail in this direction. Our proposal was met with an accolade of approval, and some people criticized us as interfering with business. Then came the Diane disaster, with that horrible tragedy at Camp David, where the children who were marooned on an island opposite Bucks County on the Delaware were saved only by the helicopter of the Navy. People began thinking, and they said that maybe it would be a Godsend if adequate legislation were adopted to supervise and maintain high standards in managing children's camps in Pennsylvania.

Therefore, Mr. President, with great pride, on behalf of Senator Lane and myself, I am presenting this bill.

Mr. President, I would like to add that children's camps are in the nature of an outdoor undertaking, dealing with Forests and Waters, Game and Fish. May I appeal to you, Mr. President, to send this bill to that committee where it will receive mercurial, adequate and prompt treatment?

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and LANE read in place and presented to the Chair Senate Bill No. 804, entitled:

An Act regulating children's camps; providing for the licensing of children's camp and for revocation and suspension thereof; defining powers and duties of the Department of Health and prescribing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 805, entitled:

An Act providing for the use of toll bridges and highways by vehicles owned by the Commonwealth and by vehicles used in relief work during emergencies without charge.

Which was committed to the Committee on Highways.

PETITIONS AND REMONSTRANCES

Mr. SILVERT. Mr. President, late yesterday afternoon, House Bill No. 1104 appeared on our Second Reading Calendar. This is the bill which deals with the question of the city charter in Philadelphia. Its prime objective, and only objective, was to provide for the appointment of a commission which would seriously study any changes necessary in the Philadelphia City Charter and then make its recommendations.

This bill passed the House. It is a bill that was approved not only by the Democratic Administration but by every civic organization that is interested in the Philadelphia charter; every such organization gave its full approval to the bill as passed by the House. There was one very minor change made in committee, and then the bill appeared on the Second Reading Calendar yesterday. It was then that we, on this side, learned for the first time that the Republican Caucus had decided on five amendments to this city charter bill. Naturally we on this side, and particularly the members from Philadelphia, were taken by surprise. We only had about five or ten minutes to review these amendments. A number of us got up on the floor and asked that the bill be passed over in order, so that the people in Philadelphia who are interested in the charter might be given an opportunity to express their opinion on the five or six changes suddenly sprung upon us by the Republican majority here in the Senate. Notwithstanding our appeals of having the bill go over, our appeals were refused, and every one of the changes and amendments to House Bill No. 1104 passed the Senate by the force of the fact that the Republicans had a majority here.

Mr. President, this morning we had hoped to get statements from both candidates for the mayoralty in the city of Philadelphia; Richardson Dilworth and Mr. Thacher Longstreth, as to their opinion on these amendments. We have not heard from Mr. Longstreth, but we did hear from Mr. Richardson Dilworth, the Democratic candidate for mayor in the city of Philadelphia, and I should like to read into the record a short statement by Mr. Dlworth:

"Yesterday's action in the Republican controlled State Senate was designed to prevent the passage of the Philadelphia Charter Rule Bill. It is also apparent it was done by the same combination that held up home rule in Philadelphia for so many years; the combination of the old guard in Harrisburg and the old guard in Philadelphia.

It is also perfectly apparent that my opponent was not even considered worthy of consultation. The old guard is determined to wreck this legislation and what my opponent wants means nothing to them. They control the party machinery and they control the legislators just as they control all the men on my opponent's ticket. They have no objection to my opponent deluding himself that he is the leader of the party or from so saying if that will win him votes. But they have no intention of paying any attention to him or anything he may say he wants, for whenever the chips are down, they will turn to my opponent as just a boy in short pants.

"This is the second time in two weeks that the old gang have put my opponent in this humiliating position. The last time was when the City-County Consolidaton Bill came up for a vote in the House and he could only muster one of the seventy-nine Republican votes, and only one of the five Republican votes in Philadelphia. He could not even control his own campaign manager or his own candidate for city council. Both ran off the floor when the voting commenced."

Mr. WATKINS. Mr. President, in reply to the gentleman from Philadelphia, with reference to House Bill No. 1104, Printer's No. 1043, it is true that the Republicans on this side did amend that bill and we thought that we amended it fairly. We felt as though Philadelphia certainly wanted to put their house in the right shape and we thought that they should have proper representation. We did not feel as though the Democratic Party, as they stand in power in Philadelphia, should have the right to pack this commission. Therefore, we amended this bill so that this commission would be on a nonpartisan basis and give the party in power the majority of the votes to do as they would see fit.

Mr. President, as far as Mr. Dilworth characterizing Mr. Longstreth as just being a boy in short pants, I think that from some of the tactics which he is using in Philadelphia in this election,Mr. Dilworth is the little boy in short pants. From what I have heard about the administration and the attacks which have been made on this young man who is honest and sincere and has not, up to this time, brought out anything which would be detrimental to the people of the city of Philadelphia, I again say that Mr. Dilworth is the boy in short pants. This young man has a constructive program which he can be praised for.

I can also say to the gentleman from Philadelphia that regardless of what Mr. Dilworth thinks about Mr. Longstreth, the people on November the 8th will decide the issue in Philadelphia.

Mr. President, I also feel that we are not running the Philadelphia election here in the Senate of Pennsylvania. I think there is more important work to do. I think that the Senator could do nothing better than apologize for some of the things which he has continuously said about Mr. Longstreth and Mr. Dilworth.

As far as House Bill No. 1104 is concerned, Mr. President, we Republicans stand on this bill as it is written, on a non-partisan basis as it was amended. It is fair, honest and just, and that is the way we want it.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Watkins.

The PRESIDENT. Will the gentleman from Delaware, Mr. Watkins, permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. WEINER. Mr. Watkins, would you please, for my edification, tell me how this would allow a fair representation by having either the mayor appoint these people or the mayor and the president of the council appoint them? I believe that was one of your amendments, is that correct?

Mr. WATKINS. The way the amendment is now, yes.

Mr. WEINER. How would that allow for a fairer appointment of members than by having the mayor and the president of city council appoint them?

Mr. WATKINS. For the simple reason that at the present time the president of city council and the mayor of the city of Philadelphia are Democrats, and they would pack this commission with Democrats and not give the other party a chance to be represented.

Mr. WEINER. Senator, is it not so that this would not go into effect until after election and you might very well have a Republican member as president of city council or a Republican mayor?

Mr. WATKINS. The same thing applies. If this bill is passed, it will be good after the election and maybe for many years to come.

If Mr. Dilworth's tactics keep on as they are in Philadelphia—

Mr. WEINER. Excuse me, Senator. Mr. President, I request that the Senator answer the question and not go into a long speech. If he does not care to answer them, he might please say so. I object to him making speeches. Just let us keep our remarks on the questions and get away from personalities for a moment.

Mr. WATKINS. I was taught by Senators Dent that whenever you got on the floor you had the opportunity to—

Mr. WEINER. Senator, you are violating the rule again, and I must call the President's attention to that.

The PRESIDENT. The Senate will be in order. Let us conduct this so that at least the official reporters will have an opportunity to properly record it.

Mr. WEINER. Senator, will you tell me whatever amendment would make it a fairer bill than it is now, from the amendments which you introduced? Let us just confine ourselves to those for the moment.

Mr. WATKINS. I feel as though the bill is fair right now. I do not think that it needs any more amendments.

Mr. WEINER. Well, you added about four or five amendments yesterday. Now will you tell us which ones will make the bill more fair?

Mr. WATKINS. I do not know whether there were four or five. Were you here?

Mr. WEINER. Yes, sir, I read this bill thoroughly and I have read your amendments thoroughly.

Mr. WATKINS. I asked you whether you were here. I do not know how many amendments were offered yesterday.

Mr. WEINER. No, I was not present at the time, Senator, but that still does not disallow me from asking you thes questions.

POINT OR ORDER

Mr. HALUSKA. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Cambria, Mr. Haluska, will state his point of order.

Mr. HALUSKA. Mr. President, thoughout this Session

your patience must, by this time, be exhausted I am sure. Yesterday in the Session we were having conversations instead of interrogations. I would like to have it settled once again, and go back to interrogations rather than conversations.

The PRESIDENT. The point of order is well taken. The Chair feels that when there is an interrogation, the question should be asked and then the reply should be given, and not both parties speaking at the same time. We hope that the Senators will adhere to those rules.

Mr. WEINER. Mr. President, I desire to further interrogate the gentleman from Delaware, Senator Watkins.

The PRESIDENT. Will the gentleman from Delaware, Mr. Watkins, permit himself to be further interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. WEINER. Senator, let us confine ourselves to the amendments, please. How, by increasing the membership from eleven to twelve members, does this help to make this a fairer bill? I believe that is one of your amendments.

Mr. WATKINS. Well, it will give us the chance of getting one more Republican on it anyway.

Mr. WEINER. Well, if we make it twelve members, it would be assumed that there would be six and six. How would that help?

Mr. WATKINS. Well, you will have two-thirds of them Democrat and they will all vote the Democratic way, Senator. They will vote unit action, the same as you do here.

Mr. WEINER. Senator, I believe if you have six and six they will be composed of members from both parties, so that we will have half of one party and half of the other.

Mr. WATKINS. No. Senator, I think that you are wrong. I think if you will read the bill, you will find that you can have two-third Decomratic due to the fact that you are in control now.

Mr. WEINER. Senator, I believe that under the amendment that would not be possible. I will let you consult with your attorney, Senator Pechan.

Mr. WATKINS. He is not my attorney. You were the last time.

Mr. WEINER. Senator, may I just ask you one other question? Are these amendments which you have put into this bill not in furtherance of the position that the Republican Members took in the House to defeat this bill? In other words just let me explain the question so that you can properly understand it and answer it.

Mr. WATKINS. You are asking me a question and I would like to answer by saying that I have not personally talked to anyone in the House about this bill.

Mr. WEINER. In other words, you have not spoken to anybody about this at all? You have made up your own mind about this?

Mr. WATKINS. Not anyone.

Mr. WEINER. In other words, you have not even consulted the members in your own Caucus about this?

Mr. WATKINS. Oh, yes, I have done that.

Mr. WEINER. What was their opinion?

Mr. WATKINS. I think that I can reserve Caucus action, and I do not think that I have to tell you what happened in the Caucus. It would be disrespectful, and I am not telling you.

Mr. WEINER. In other words, you do not wish to tell us whether this was under unit rule or not?

Mr. WATKINS. I think when we hold our Caucus that it is our own Caucus, and I do not think that I have any right to come before the Senate and tell them what went on in Caucus. That is not a fair question.

Mr. WEINER. Do I understand you correctly, Senator that you think this is a secret then?

Mr. WATKINS. No, I do not think it is any secret. The bill reads for itself.

Mr. WEINER. Mr. President, I can only conclude from interrogating the Senator, and from some of the remarks that he made earlier, that these amendments which were introduced in this bill were in furtherance of a plan to defeat this bill. Some of the amendments are ridiculous. I believe that they are trying to bring this bill up to the point of absolutely defeating it because of the ridiculousness of the amendments, and even the proponents of the bill could not vote for it. Secondly, I feel that the Senator, representing the opposing political party, should explain to us as a member of that party why the members from Philadelphia, save one, voted against this bill.

One of the members who voted gainst this bill is running for the office of councilman in Philadelphia, and he is committed, as are most of the members of the party and the responsible spokesmen for the party in in Philadelphia, to supporting the charter, the charter amendments and this commission. They have stated so publicly in the newspapers. I believe one of their representatives, who is running for office, was even present on the floor of this house and stated to the members that he was committed to this bill an dthat he hoped they woulh bring it out.

Mr. President, I, therefore, charge the members on the other side with defeating this bill, in furtherance of that policy of defeating any and all charter amendments and changes that are so badly needed in Philadelphia after a four year experience of living with this charter and some of the objectives which were orginally laid out in this bill.

Mr. HOLLAND. Mr. President, I am quite startled by the statements made by the gentleman from Chester. Since he has his roots in a county that has shown dictatorship over the years, and I would say clean government, he does not believe in the vote of the people. In other words, he does not believe in majority rule.

Mr. President, he wants to pass a law now so that regardless of what the people vote in the coming election in Philadelphia, they will have to listen to the dictates of the Republican Party of the Senate. If the Senator had come from a county that did not have a record of the type of organization politic which have been practiced there over the years. I could understand his position. If I remember correctly, one of the great leaders of that county was saved from going to jail because they repealed the prohibition laws. He does not live in Philadelphia and yet he wants to dictate to the people of Philadelphia how they should run their government.

I think that the people of Philadelphia have a right to vote. They have a right to control the responsibility of this charter at this time. I never heard the Republican Party before ask for nonpartisan committees. Every committee they appointed they have loaded with Republicans, because, as the majority party, they have the right to have the majority of people. I say that the people who

win the election in Philadelphia have the right to have the majority of people.

Mr. President, I do not think that it comes in good grace for people outside Philadelphia to tell the people of Philadelphia, after they have voted, how they are going to set up their charter. If the Republicans win, they should have the responsibility. If the Democrats win, they should have the responsibility. That is the type of government which I believe is the type of government we want in America. We do not want to have the type of government where some political boss in a back room is continually pulling the strings for the people to jump. That is the type of government the people of Philadelphia voted out. They want clean government now. They do not want government which is controlled by the manipulation of the General Assembly to put the mayor in an embrassing position. They do not want government where, after it is all over, it can be said, "Well,, so and so, the Republicans were in power then or the Democrats were in power then." If you are not going to give the Republicans or the Democrats who are in power the right to have the majority, then you are not going to have good government.

Mr. President, why undo what the people have voted for? I think that the gentleman from Chester should go back to Chester and help to clean up Chester, instead of trying to meddle in Philadelphia politics.

Mr. WATKINS. Mr. President, as usual, the gentleman from Allegheny, my friend, Senator Holland, always has to infer something about communists. I am sure that he knows more about communism than I do. He has had more dealings with communists than I have had.

The Senator talks about our government and about people from the oustide interfering with Philadelphia. I call to the gentleman's attention again that we, in Chester, are taxpayers in Phaldelphia. Some $10,000,000 a year we pay to the coffers of the city of Philadelphia. As I said yesterday, the power vested in me by the people from my county gives me the right now to let them have some say in the government.

Mr. President, I certainly would like to say this, that the purpose of this House Bill No. 1104 was stated in a letter which I received from the mayor of the city of Philadeplhia, Mayor Clark. He stated that he wanted this commission set up on a nonpartisan basis; that he did not want it crammed with persons from one political party. From reading his letter, it was very plain that he had no desire to have all democrats on this commission. Secondly, now that the commission will be composed of twelve and the way they will spread their terms, there is nothing to fuss about. If the charter is going to be honest, I think that the mayor of Philadelphia will not complain too much about this commission of twelve members. I believe that the proposed changes will make the charter honest.

Senator Holland made remarks about the gentleman from Chester. I do not live in Chester, but I am proud of Chester. I would like to also say to him that I suggest he clean his own backyard up and not worry about Chester. There is only on thing distasteful to him about Chester, and that is that it is predominately Republican. People like Senator Holland, who visited our county on many occasions, when there was a riot or a strike going on, and he came down to either add to it or settle it, cannot dictate to us. I remember once when he came down, when I was sheriff of the county, and he tried to dictate to me and tell me what to do. I reversed his field by taking some of his members and making them deputy sheriffs and having them work for me.

Mr. President, I would further suggest to the gentleman that he is getting down a little bit too low when he starts talking about the filth in the city of Chester. I say that the city of Chester is just as clean as any Pittsburgh district that you have. I can say that our government is one of the best. It is a government which has stood there for fifty years without anybody breaking it. I do not need to take any slurs from the Senator from Allegheny County with reference to the city of Chester. I am proud of the city of Chester, and I think the Senator is the one who should clean his own dirt up if there is any. I do not know if there is any filth in Allegheny County, but if there is let him clean it up and make it half as clean as the city of Chester and he will get my okay.

Mr. HOLLAND. Mr. President, I am quite surprised at the first part of Senator Watkin's statement. I do not know who was talking about communism. I might tell the gentleman from Delaware County that there is no man in this Senate who has fought communism more than I have. I have been up against communists not only from a mental standpoint, but from a bodily standpoint.

Next, Mr. President, I want to tell the gentleman that it is very true about what happened in Chester. However, for his information, I will let him in on a secret. When we came to the meeting in Chester, it was our intention to have him appoint members of the union as deputy sheriffs. We made him believe it was his idea.

Mr. WEINER. Mr. President, I would just like to point out to the gentleman from Delaware that we have gotten away from the original discussion.

However, Mr. President, his people who live down in his county, and who are so concerned about paying taxes in Philadelphia, can relieve themselves of that burden very easily. They can just give up their jobs in Philadelphia and go work somewhere else.

Mr. STIEFEL. Mr. President, I have a lot of respect for my friend, Senator Watkins, of Delaware County. I love his county; I spent some happy years in Delaware County. What I am going to say, even he cannot refute. Delaware County is one of the paradises of Pennsylvania. However, it has one drawback. It has too many mosquitoes and too many swamps. It will take the dollars of the Philadelphia taxpayers to rid Delaware County of the mosquitoes. With all that is coming now into the treasury of Philadelphia, there will be three times or four times as much spent to make Delaware County a full paradise. It will not be the dollars of the people from Delaware, but the dollars of the taxpayers of Philadelphia which will accomplish this task.

Mr. HALUSKA. Mr. President, yesterday afternoon, last night and this morning we had what might be called stormy Sessions. All of us had taken part in the affairs of the day. This morning, we pick up the newspapers and find what really happened.

I want to go on record as stating that as Chairman of the Democratic Caucus, all of my colleagues deeply resent the story which appeared in the Pittsburgh Post-Gazette this morning, written by one Frank M. Matthews.

I want to state, Mr. President, that I have no ill feelings toward the members of the press. I, myself, in my own small way, for a quarter of a century, have been affiliated with newspapers and, as of today, I am still writing articles. However, I try to write articles that have some sense and some honesty and decency within them. These newspaper writers are an essential part of our social lives. They play a great part in the progress of America. We have had vicious writers and outright honest writers. Many a family has been broken up because of a vicious newspaper reporter. Many a man has broken with his wife because of an untruthful statement. On the other hand, many strikes have been settled because of the reporters who have shown the light and given evidence to those involved and thus brought about satisfactory results.

I am not one of those who fear newspapers. I am not one of those who may be needled very easily. I might state that there is no man in this body who has received more bad publicity than I have in the last two years, by practically every newspaper in this great Universe, in this Country and out of this Country, because of my social activities. I laughed and I scoffed at their remarks. What the newspapers say about me, individually, I can take and I can give it back. However, when any reporter has the audacity to condemn, collectively, the entire Democratic Party, all of my colleagues, by misstatements, by deliberate lies, then it is time that he should be removed from this Chamber. He is a menace to society and no credit whatsoever to his colleagues here, representing the newspapers throughout this great State of ours.

The headline, Mr. President, reads: "Democrat Fight GOP Teacher Pay Raise Plan." When did that happen? There is not a man in this body who can say that headline is true.

Below the headline it reads: "Republican Senators Seeking to Force $200-a-Year Hike Through Legislature." When did that happen, Mr. President? It did not happen during this Session. It is a deliberate, outright lie. Then Mr. Matthews goes on to state:

"Harrisburg, Oct. 10

"Pennsylvania's State Senate plunged into angry maneuvering tonight as Republicans planned to force a vote on an unscheduled $200 annual salary increase for the state's 64,000 school teachers.

"Many Democrats threatened to walk off the floor rather than go through with the vote tonight."

Mr. President, I have heard of men hitting below the belt and I have heard of men crawling out of their holes, but only a rat would crawl in a hole so small. This man is lower than a rat when he tries to make the people believe, the schoolteachers, their families and the people of this great Commonwealth, that he is telling the truth. I do not think that any Senator here today can agree with this article, be he Democrat or Republican.

Yesterday, we had an honest difference of opinion here. The Democrats and Republicans discussed this measure. Senator Seyler and Senator Hays introduced an amendment which embodied a bonus for the schoolteachers to the amount of $200 per year. Senator Mahany, the Republican Floor Leader, then asked for a recess and properly so. The Republicans had a Caucus. What happened in Caucus, I do not know and I do not care. When their Caucus was adjourned, the gentleman from Crawford came back and made a motion to adjourn until ten o'clock, Eastern Standard Time, today. The only person who asked for an increase at that time were Senator Hays and Senator Seyler. We discussed this in Caucus.

I want to go on record as stating, as Chairman of the Democratic Caucus, that every Democratic Senator who attended that Caucus yesterday was in favor of giving the schoolteachers a raise. The gentleman from Westmoreland, Senator Dent, made a motion yesterday to recommit this bill and have it come back out, he hoped, in its original form. The gentleman from York, Senator Seyler, went a step further by introducing an amendment to make certain that the bill would go back to committee and that his amendment would be embodied, giving the schoolteachers a raise.

Mr. President, I am sure that every schoolteacher in this great Commonwealth today is looking down upon the Democrats as a group of men who are their enemies. That is very unfair and very untrue.

Frank Matthews reminds me of a story wherein a person was described as a "mackerel in the moonlight." When it shines, it stinks. Well, Frank Matthews is a "mackerel in the moonlight."

Mr. President, I shall conclude by using the words of Confucius when he said, "No one should ever expect to hear the voice of a nightingale come from the mouth of a crow."

Mr. WATKINS. Mr. President, I do not care to carry on this debate on House Bill No. 1104, but I would like to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. WATKINS. Senator Weiner, you said that you received a telegram from Mr. Dilworth in Philadelphia. I would like to know if anywhere in that telegram Mr. Dilworth criticized the amendment to this charter bill.

Mr. WEINER. I would be very happy to answer that question except that I believe the gentleman from Delaware is misquoting me. I never said I received a telegram from anyone.

Mr. WATKINS. Did you receive a telegram from him?

Mr. WEINER. No, sir. I believe you are referring to the Senator who spoke originally, Mr. Silvert.

Mr. WATKINS. In your own way or any way, would you know whether Mr. Dilworth has dissented concerning the number of members appointed to this commission?

Mr. WEINER. I am sorry. Would you please repeat your question?

Mr. WATKINS. In any way, would you happen to know whether Mr. Dilworth has dissented in the setting up of this commission? Regarding the amendments which the Republicans have placed in this bill, has Mr. Dilworth crticized them in any way to your knowledge?

Mr. WEINER. I believe, Senator, if you will just think for a moment, you will remember that Senator Silvert read that statement about what Mr. Dilworth said.

Mr. WATKINS. Thank you very much.

Mr. Presidnt, I desire to interrogate the gentleman from Philadelphia, Senator Silvert.

The PRESIDENT. Will the gentleman from Philaedlphia, Mr. Silvert, permit himself to be interrogated?

Mr. SILVERT. I will, Mr. President.

Mr. WATKINS. Senator Silvert, at anywhere in that telegram does Mr. Dilworth take exception to the committee, as the Republicans amended this bill, as to the appointment of the members and the number of them or in the method by which they are to be appointed?

Mr. SILVERT. Senator Watkins, I read the statement on the floor here. From the statement, it is obvious that Mr. Dilworth thinks that these amendments offered here in the Senate were offered for the purpose of throwing a monkey wrench into a bill that had been prepared and sponsored, not only by Mayor Clark, not only by the president of city council, but by every civic organization in Philadelphia which is interested in home rule and a good charter for the city of Philadelphia.

Mr. WATKINS. Senator Silvert, in order to make sure that this is not your thinking and Mr. Dilworth's thinking, would you be kind enough to read that telegram into the record?

Mr. SILVERT. I have already done so and if you want me to, I will read it again.

Mr. WATKINS. I ask you, if you would, please.

Mr. SILVERT. Since Senator Watkins wants me to read the telegram again, I have no objection to repeating the reading of this statement by Richardson Dilworth, received by us this morning:

"Yesterday's action in the Republican controlled State Senate was designed to prevent the passage of the Philadelphia Charter Rule Bill. It is also apparent it was done by the same combination that held up Home Rule, in Philadelphia for so many years—the combination of the old guard in Harrisburg and the old guard in Philadelphia. It is also perfectly apparent that my opponent was not even considered worthy of consultation. The old guard is determined to wreck this legislation and what my opponent wants means nothing to them. They control the party machinery and they control the legislators just as they control all the men on my opponent's ticket. They have no objection to my opponent deluding himself that he is the leader of the party or from so-saying if that will win him votes. But they have no intention of paying any attention to him or anything he may say he wants, for whenever the chips are down, they will turn to my opponent as just a boy in short pants.

"This is the second time in two weeks that the old gang have put my opponent in this humiliating position. The last time was when the City-County Consolidation Bill came up for a vote in the House and he could only muster one of the seventy-nine Republican votes, and only one of the five Republican votes in Philadelphia. He could not even control his own Campaign Manager or his own candidate for City Council. Both ran off the floor when the voting commenced."

Mr. WATKINS. Mr. President, I really stuck my neck out for it that time. I gave Mr. Dilworth a chance to have a political speech read into the record of the Senate of Pennsylvania. However, I can see from his telegram that he, too, is in favor of a packed commission and that he, too, has no faith in any Republicans in Philadelphia and does not in any way want them on this commission.

Mr. President, I would like to thank Senator Silvert for being honest and reading the telegram to me. As far as the speech that was made through his telegram, it is just the same old Dilworth propaganda; believe in me and the rest of the world is wrong.

Mr. HOLLAND. Mr. President, speaking for Mr. Dilworth, I would like to add to what the gentleman from Delaware, Senator Watkins said. We have no confidence in the Republicans in the Senate either.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Watkins.

The PRESIDENT. Will the gentleman from Delaware, Mr. Watkins, permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. WEINER. Senator Watkins, as a Member of this Senate, have you in all the time you have served here ever listened to what Mr. Dilworth has asked or said? Please just answer that categorically by a "yes" or "no." Then you can elaborate on your answer.

Mr. WATKINS. You asked me a question and I shall answer it.

Mr. WEINER. Please just answer it categorically by a "yes" or "no." and then you can elaborate.

Mr. WATKINS. Yes, I did. I heard Mr. Dilworth on one occasion and I will never forget it as long as I live on earth. Would you like me to tell you what he said?

Mr. WEINER. No, sir. I do not want a speech. All I want, Senator Watkins, is an answer to the question. Did you ever listen to what Mr. Dilworth has asked, and conducted yourself accordingly?

Mr. WATKINS. I have heard Mr. Dilworth speak on several occasions.

Mr. WEINER. Mr. President, I would like the gentleman to either answer the question or deny that he has heard Mr. Dilworth, or just say that he cannot answer the question.

Mr. WATKINS. I said that I have heard him speak, Mr. President.

Mr. WEINER. That is not the question, Mr. President.

The PRESIDENT. The Chair thinks the gentleman from Delaware is trying to answer the question.

Mr. WEINER. Senator Watkins, I will rephrase the question. Have you ever been guided in your actions as a result of what Mr. Dilworth has said or has not said?

Mr. WATKINS. No, at no time in my life have I ever been guided by what he said. I hope that I never will be.

Mr. WEINER. As a Senator who occupies a seat in this very fine body of gentlemen, was there anything to stop you from putting into this bill the very things which you are so concerned about? Would you please answer that question categorically?

Mr. WATKINS. I am well satisfied with the bill the way it stands. I am going to vote for it the way it is.

Mr. WEINER. If you are satisfied with the way the bill stands, why do you wish to amend it?

Mr. WATKINS. We have amended it.

Mr. WEINER. Senator Watkins, the bill is no longer on our Calendar as it was originally reported from committee.

Mr. WATKINS. I know that. That is what I said. We have amended the bill. We amended it yesterday.

Mr. WEINER. Mr. President, I suggest that the gentlemen sitting around the Senator from Delaware do not coach the witness.

Senator Watkins, will you point out in the original bill, as reported from committee, where the Republicans are denied membership on the commission?

Mr. WATKINS. I cannot point it out. However, the

way we have it fixed now, you cannot pack it.

Mr. WEINER. I am asking you, in the original bill that came out, would you please point out where the Republicans are denied membership on the commission and why amendments were necessary? I will let you confer with your lawyer, Senator Pechan.

Mr. WATKINS. My lawyer, Senator Pechan, tells me that you had two-thirds majority and we only had one-third.

Mr. WEINER. Thank you, Senator Watkins, very much.

I would like to just talk to the gentleman from Armstrong, Senator Pechan.

Mr. WATKINS. Senator Weiner, would you allow me to elaborate on what Mr. Dilworth said? You asked me that question and then you got out of it. How about letting me go into that?

Mr. WEINER. I will be very happy to allow you to do that after I have completed my interrogation of the gentleman from Armstrong, Senator Pechan.

Mr. WATKINS. Well, we will forget about it. When you get finished with Senator Pechan, you will not want to hear it.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. WEINER. Senator Pechan, would you point out to me in the bill whereby the Republicans are denied membership on this commission, prior to the amendments, when the bill first came out?

Mr. PECHAN. Do you have Printer's No. 1043 in your hand?

Mr. WEINER. No, sir. I just have Printer's No. 1038. This is the original bill about which we are speaking.

Mr. PECHAN. If you will take Printer's No. 1043 as it is presently before us, you will find that on page 5, line 4, after the word "years", under the original bill, it said: "not more than two-thirds of the members of the commission shall be registered electors enrolled in the same political party. Any vacancy in the membership of the commission," etc. This means that under present conditions, two-thirds of the membership would be registered Democrats. Further on in the bill, before the bill was amended, it said that upon the death of any of those members, a person shall be appointed of the same political party. It meant a perpetuation from now until eternity, when this bill goes into effect, whether it be the Republican or whether it be the Democratic Party. If the bill had passed without these amendments, the political party that had two-thirds of that membership would forever have it. Relative to any person who died or resigned, the mayor or president of city council or whoever had the authority to appoint, would have to appoint someone of that party. It said so in this bill.

Mr. WEINER. Thank you, Senator, for that elucidating answer. Would you please answer my question?

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his point of information.

Mr. DENT. Have we reached this bill on the Calendar yet?

The PRESIDENT. The bill is not before us. We are under the order of business of Petitions and Remonstrances.

Mr. DENT. Mr. President, I just wondered, because I have a few choice remarks of my own concerning the bill. I think the proper time to take up what is in and what is out of the bill would be when it comes on the floor.

I would like to suggest that the interrogation be held to the lines that it started out on, the lines of personalities rather than the lines of questioning on what is in the bill.

Mr. WEINER. Mr. President, I feel it would be rude if I did not thank the gentleman from Armstrong for that kind and wonderful explanation he gave to the Senate. However, just so we do not get into the problem of semantics here, I believe that the question was, wherein does it show in the bill that Republicans are denied membership on the commission. I believe Senator Pechan completely answered that question by saying that they were not denied membership and that on-third of of members would be Republican electors.

Mr. DENT. Mr. President and Members of the Senate, among our greatest of all national freedoms is the one known as freedom of the press. This morning I picked up an early edition of a public newspaper and, although we left here between three and four o'clock this morning, I was very much upset by what appeared in that newspaper. At first, I thought of coming in with a speech containing all the criticism I could muster. Then I got to thinking about this practical thing that we have had with us since the beginning of this great Nation. I tried to analyze for myself just what it meant. I wrote in longhand, this morning at about five-thirty o'clock, a short statement which I brought in and had my secretary type. I would like to read it into the record of this Senate. The sentiments here are personal. If, along the line, you can agree with some line in it, I would feel honored.

What, precisely, is meant by that familiar phrase, "freedom of the press"?

Fundamentally, it is not a special privilege reserved for newspaper publishers. It is rather a phase of a much larger freedom—the freedom of all men to speak their minds openly and without fear. The press should claim no right which should not belong to every citizen in a democracy. But freedom of the press is an all-important part of this larger freedom because, under modern conditions, the press is the principal agency by which the ordinary man receives the information he needs to judge the actions of his rulers and make up his mind on public affairs. Without newspapers, or with only gagged and blindfolded ones, he is in the dark, and helpless. An unfettered press is therefore one of the essential bulwarks of a democratic nation.

If any proof be needed, it is supplied by the record of the totalitarian dictatorships which have darkened the twentieth century. Rigid control of all sources of public information, and especially of newspapers, was the cornerstone on which all these regimes—Nazi, Fascist and Communist alike—were founded. Without it, they could hardly have lasted for more than a few months. With it, they could keep their peoples in blinkers and drive them on any course they chose. The calamities of our age, its fear and insecurity, stem in no small measure from the simple fact that, at critical periods, great sec-

tions of the earth's population have been prevented by their rulers from learning the real news of the world.

These examples should provide a warning against any attempt, by governments or by private interests, to restrict the essential freedom of the press. A free people must stand on guard not only against direct censorship, but also against more insidious encroachments. Nominal freedom is not enough. The only truly free press is one which can record the news faithfully and comment on it frankly, without fear of direct or indirect punishment. Neither the press nor the public is safe with any thing less than this.

All liberty, of course, involves obligations. That of a free newspaper is to be truly free. It must strive to be thorough, accurate and unbiased in its reporting, sincere and thoughtful in its editorials, and resistant to all outside pressure. It must be both cautious and bold—cautious until it knows all the facts, bold when it is sure of its ground. It must, above all, be inspired by devotion to the public welfare as its staff understands it.

Such a newspaper is worthy of the privileges which the free peoples of the world have tradionally granted to their press. Such a newspaper is also the best guardian of the liberties of the people.

Today, we have an example of the abuse of this freedom. Those of us in the Democratic Party have learned long ago to understand and tolerate politically inspired news reporting. However, there comes a time when such reporting can reach a state that endangers not only the well-being of a political party, but tends to endanger the very freedom that newspapers hold so sacred.

We have with us today a newspaper article from a daily newspaper which is directly opposite to the action taken by this Senate, and calls for immediate condemnation by all the Members of this Senate. Every Senator knows that it was the Democratic Party that offered the amendments to the school subsidy bill, which would have allowed increases in salaries. Every Member of the Senate knows that it was a Republican sponsored bill which came out of committee with a cut in the appropriations in school subsidies.

This article, in the daily newspaper, changed the action of the Senate completely around and gave the Republican Party credit for the raise, and gave the Democratic Party credit for the cut. It was not a mistake—it was a deliberate and premeditated act. However, at best, it was a serious mistake.

It is this kind of reporting that destroys the faith of the people in their political parties; and the only guarantee that the newspapers have that their freedom should be held sacred and inviolate is by strengthening the faith of the people in the political parties, not in destroying them.

Mr. President, all of us do at times rate criticism and all of us receive it. So. I say that it is with a sad note that I noticed that today we have more of the kind of reporting which has caused a blemish to be upon the escutcheon of the freedoms of the press. There are many things that go toward making up freedom; freedom of an individual to stand and defend himself when he has, either by mistake or by design, been accused of something that is unfair and unjust.

Mr. President and members of this Senate, the newspapers are cloaked with a great latitude, especially when we are candidates. Cordell Hull once said that a lie, printed in the newspaper, would get halfway around the world before the truth could gets its pants on. So, it is true. Those of us in public life not only have to compete against the competitors in the field of politics, but we must be on guard against the biased and unrestricted opposition of those who, for political purposes and for purposes of their own economic welfare, would destroy the freedoms which they enjoy and the right to report and publish the news by taking a position that is so biased that even those who benefit must blush.

Mr. President, my county has gone under the hammer many times. My county's political affiliation is Democratic. There have been some changes in my county, yes, over the years. I can say, as a resident of that county of many years, that there is less of the so-called racketeering there than there as during the days of Republicanism. No one ever knew of the kind of a campaign that is being waged against those county officials today. I say to all of the Members of this Senate that there is something creeping into that campaign which goes even beyond political significence. It goes beyond that because there is a mixture bred out of prejudice, hatred and bigotry that is tending to destroy the very foundations upon which this government exists and which guarantees the freedom of the press. Bad reporting is even worse than bad representation in government because when bad representation in government takes place, the people have recourse. The people can stand on election day and they can defeat a bad representative. However, a bad newspaper goes merrily on its way because when it reports something bad, it can report something good tomorrow and be forgiven.

All of us know that life is only a short venture. None of us have a guarantee of eternal and everlasting tenure upon this earth. Most of us are only here for a short visit, and only a few short years we are allowed to visit in this valley of tears and the hillside of mirth and enjoyment. During those years, let us at least make one little resolve. Whether we are in politics, business, newspaper or in religion, whether we are preachers or ordinary men, let us resolve that the precepts and concepts of Christianity rule us in the things which we do no matter where we do them; that we take not a man and destroy his character and hold his family up to shame simply because it may serve our own mean purposes, that it serves us economically or politically. Let us fight our battles, yes, fight them openly and according to the dictates of our hearts and our consciences. Let us have our hearts dictate to our minds that kind of a course which will render to each of our opponents the same kind of decency, the same kind of respect that we ask from others.

BILL INTRODUCED AND REFERRED

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. LANE, MAHANY, STIEFEL and DENT read in place and presented to the Chair Senate Bill No. 806, entitled:

An Act to further amend the title and act, approved

the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decendent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by adding a new section regulating the entry into safe deposit boxes of a decedent, and providing penalties

Which was committed to the Committee on Judiciary General.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nomination made by His Excellency, the Governor of the Commonwealth:

MEMBER OF BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 2, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Rev. Andrew P. Maloney, 240 West Broad Street, Hazleton, Luzerne County, for appointment as a member of the Board of Trustees of Danville State Hospital, for the term of four years and until his succesor is appointed and qualified, vice George Scott, deceased.

GEORGE M. LEADER.

MEMBERS OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Allegheny County Board of Assistance:

Dr. W. R. Vivrett (Dem.), East End Christian Church, 6002 Alder Street, Pittsburgh 6, to serve until December 31, 1956, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Jessie M. Vann (Rep.), Fourteenth Street, Oakmont, to serve until December 31, 1957, and until her successor is duly appointed and qualified. (Reappointment)

Stanton C. Crawford (Rep.), Dean, College of Arts and Sciences, University of Pittsburgh, 1801 Cathedral of Learning, Pittsburgh 13, from January 18, 1954, until December 31, 1955, and until his successor is duly appointed and qualified.

William J. McCafferty (Dem.), 1112½ Chartiers Avenue, McKees Rocks, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Donald B. Hirsch, Esq., Pittsburgh whose term expired.

Dr. Florence L. Marcus (Dem.), 3939 Penn Avenue, Pittsburgh 24, to serve until December 31, 1956, and until her succesor is duly appointed and qualified, vice Mrs. Mayme Hubbard, Verona, whose term expired.

Everett E. Utterback, Esq. (Dem.), 200 Ross Street, Pittsburgh to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice George V. Lang, Pittsburgh, whose term expired.

Edward A. Feigenbaum (Rep.), 4627 Baum Boulevard, Pittsburgh 13, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice Mrs. Gladys Hess, Tarentum.

Mrs. Sarah Limbach (Dem.), 66 Riverview Avenue, N. S., Pittsburgh, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice C. A. Leeming, Munhall, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 28, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ernest W. Hofman, Washington Township, York County, P. O., R. D. 1, East Berlin, for appointment as justice of the Peace in and for the Township of Washington, York County, until the first Monday of January 1956, vice O. S. Hofman, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Mains, Eighth Avenue, Sutersville, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of Suterville, Westmoreland County, to serve until the first Monday of January 1956, vice Robert D. Rae, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Woodrow W. Brown, 1404 Race Street, Williamsport, Lycoming County, for appointment as Justice of the Peace in and for the Township of Old Lycoming, Lycoming County, to serve until the first Monday of January 1956, to fill a vacancy.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Hill, R. D. 2, Montoursville, Lycoming County, for appointment as Justice of the Peace in and for the Township of Upper Fairfield, Lycoming County, to serve until the first Monday of January 1956, vice John A. Fisher, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 1, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert C. Schnepf, Box 345, Conneaut Lake, Conneaut Lake Park, Crawford County, for appointment as Justice of the Peace in and for the Borough of Conneaut Lake, Crawford County, until the first Monday of January 1956, to fill a vacancy.

GEORGE M. LEADER.

MEMBERS OF WASHINGTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 6, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Washington County Board of Assistance:

Mrs. Delia Kelly (Dem.), 988 Thompson Avenue, Donora, to serve until December 31, 1956. (Reappointment)

Mrs. Ruth A. Cummins (Rep.), 694 North Main Street, Washington, from April 1, 1954 until December 31, 1955, and until her successor is duly appointed and qualified.

Presley N. Wrenshall (Dem.), 253 East Wheeling Street, Washington, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice Russell Z. Moninger, Washington, whose term expired.

Charles L. Martin (Dem.) Main Street, Ellsworth, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Brad R. Williams, Canonsburg, whose term expired.

Mrs. Mayme E. Martin (Dem.), 640 Duncan Avenue, Washington, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice George D. Grimes, Centerville, resigned.

Mrs. Elizabeth Gales (Dem.), 327 Phillips Street, Speers, Charleroi, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Irene Walker, Daisytown, deceased.

GEORGE M. LEADER.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I hope that my colleagues will bear with me. I know that the hour is getting late, but I have two very important resolutions to present. I believe that they are of great importance and deserve all the attention they can get.

I know that this is the proper tribune in the United States to make a statement pertaining to one of the most dastardly crimes which occurred on the sacred soil of the United States and the sovereign State of Mississippi. I am referring to the murder of Emmett Till, a colored boy fourteen years of age, whose murderers were left unpunished. I believe that it is high time the Congress of the United States should pass adequate laws providing that whenever such a crime occurs and the local courts bog down, due to intolerance and prejudice, the Federal judiciary will step into the picture and punish the culprits.

Mr. President, in the October 10th issue of Life Magazine there appears the finest and the most inspiring editorial entitled, "In Memoriam, Emmett Till." In the resolution which I am about to offer, this editorial is quoted verbatim.

Mr. President, I know that we do not have to appeal to the great Pennsylvania people and their representatives in this august body to voice our indignation at the miscarriage of justice in Mississippi and to ask for remedial action.

SENATE RESOLUTION REFERRED TO COMMITTEE VOICING INDIGNATION OVER THE MOCKERY OF JUSTICE IN MISSISSIPPI

Messrs. STIEFEL and WEINER offered the following resolution, which was twice read as follows:

In the Senate, October 11, 1955.

The recent miscarriage of justice in the sovereign state of Mississippi, with respect to the trial of two citizens charged with murder of Emmett Till, a fourteen year old Negro, has shocked the consciousness of all fair-minded people throughout our country and abroad, where knowledge of the nefarious mockery has been retold.

In order that the United States of America, the bulwark of democracy may retain its place as the leader of the world, it must of necessity do that which is required to prevent a recurrence of such an injustice.

The editorial appearing in the issue of October 10, 1955 of the "Life" magazine contains an excellent gist of this shocking instance of miscarriage of Justice in Mississippi:

IN MEMORIAM, EMMETT TILL

In Mississippi the murder of 14-year old Emmett Till still goes unpunished. It will be punished, nevertheless, for there is a higher law than Mississippi's.

Emmett Till was a child. One of the South's traditions is the religion of Jesus, who said: "But whoso shall offend one of these littles ones which believe in me, it were better for him that a millstone were hanged about his neck, and that were drowned in the depth of the sea."

Men can be forgiven for prejudice, as a sign of ignorance or imperfect understanding of their religion; no righteous man can condone a brutal murder. Those in Sumner, and elsewhere, who do condone it, are in far worse danger than Emmett Till ever was. He had only his life to lose, and many others have done that, including his soldier-father who was killed in France fighting for the American proposition that all men are equal. Those who condone a deed so foul as this are in danger of losing their souls.

The soul of Emmett Till himself was known but to few but it was a thing of value. It was fashioned on July 25, 1941 by the Lord God Almighty who placed on it this distinctive seal:

> This is My son, akin to all others, but unlike any of them. Like each of My children he is unique, irreplaceable, immortal. I hereby send him among other men, who are his brothers.

He went and was slain. In the dark night of this deed his childish cries for mercy fell on deaf ears. But they were heard, Nonetheless, and the Hearer made an entry, that night, beneath certain names, writing once more: "It must needs be that offenses come, but woe to that man by whom the offense cometh."

Sleep well, Emmett Till; you will be avenged. You will also be remembered, as long as men have tongues to cry against evil. It is true now as it was when Christ said it almost 2,000 years ago: "For there is nothing covered that shall not be revealed; neither hid that shall not be known . . . Whatsoever ye have spoken in darkness shall be heard in the light . . . Be not afraid of them that kill the body . . . Fear him, which after he hath killed hath power to cast into hell . . . Are not five sparrows sold for two farthings, and not

one of them is forgotten before God? . . . Fear not therefore, ye are of more value than many sparrows."

In our Union of States the philosophy of fair dealing as enunciated in our Bill of Rights has in most instances been the guide and rule of conduct for most of our citizens. The proud Commonwealth of Pennsylvania, the Keystone State of our Union, takes pride in its treatment of all citizens alike, irrespective of race, creed or color, and is; humbled by the knowledge that another sovereign state has permitted itself to be so degraded by the conduct of some of its citizens, as to cause shame on our entire Nation. Be it therefore

Resolved, That the Senate of the General Assembly of Pennsylvania in the name of the people of Pennsylvania voice its indignation over the mockery of justice in Mississippi and urge the Congress of the United States to pass adequate legislation to preclude the recurrence of such miscarriage of justice, whenever the local courts bog down in the mire of prejudice and intolerance.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. STIEFEL. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, this resolution might very well stir up another war between Pennsylvania and Mississippi, and we certainly want to avoid that. I think that we should have the thoughts and action of the proper committee on this resolution before we act upon it on the floor and, therefore, I object to its immediate consideration and ask that it be referred to the proper committee.

Mr. STIEFEL. I will agree with the Majority Leader that the resolution be referred to the proper committee.

The PRESIDENT. There being objection, the resolution is referred to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, in order to save the vocal cords of our able reader, I am not going to ask to have this resolution read in full. I simply want to state that this resolution enumerates the great contributions of the Italian people to the progress of mankind and to our civilization, as well as the part they played in the building of America.

Mr. President, on Columbus Day, which is tomorrow, the 12th of October, this resolution offers felicitations to our citizens of Italian descent and our admiration for the Italian nation.

Mr. President, on behalf of Senator Lane, Senator Dent, Senator DiSilvestro and myself I am offering this resolution.

SENATE RESOLUTION

COLUMBUS DAY

Messrs. STIEFEL, LANE, DENT and DiSILVESTRO offered the following resolution which was twice read, considered and agreed to:

In the Senate, October 11, 1955.

The contributions of the Italian people to world-civilization generally and to the emergence of our Nation as the greatest on earth, in particular are innumerable. There is hardly a field of human endeavor that does not bear the stamp of Italy's genius.

The great Universities of Italy both during the pre-Renaissance period and in the days of the Rennaisance, such as Bologna, the oldest among them, Pisa and Padua, recaptured the heritages of Greece and Ancient Rome and became the Propagators of Antiquity saving from perdition vast cultural values and transmitting them through its immortal voyagers and towering scholars to the rest of the world. Generations of Italian cartographers educated and trained at these Seats of Learning made possible the triumphant march of geography and the coping stone of its attainments the discovery of America. The Art of Italy still remains unexcelled and is second to none. Such luminaries, as Raphael, Leonardo Da Vinci, Botticelli and hosts of others with their immortal brushes have painted a Seintillating and effulgent chapter in the story of mankind.

Italy's smiling Settecento which produced the Giants of the Appennines bears out Alfieri's statement that "Nowhere do the plant and man thrive as vigorously as in Italy."

Freed from the countless bonds which elsewhere in Europe checked progress, having reached a high degree of individual development and having immersed in the teachings of antiquity the Italian mind turned to the discovery of the outward universe.

From time immemorial the Mediterranean Sea had given to the Nations that dwelt on it's shores, mental impulses different from those which governed the peoples of the North. After they were once at home in all the eastern harbors of the Mediterranean, it was natural that the Italians, the most enterprising among them should be led to join that vast international movement of the Mohammedans which there found its outlet. A new half of the world lay, as it was freshly discovered before them. Or like Polo of Venice, they were caught by the current of the Mongolian peoples and carried on to the steps of the throne of the Great Khan. At an early period, we find Italians sharing in the discoveries made in the Atlantic Ocean; it was the Genoese who in the thirteenth century, found the Canary Islands and made the first known attempt to find a sea-passage to the East Indies.

Columbus himself is but the greatest of a long list of Italians who in the service of the Western Nations, sailed into the distant seas.

And so ever and again this year as in the past on the eve of Columbus Day 1955, we turn with admiration and gratitude to the august figure of the great Genoese, by whom a new continent beyond the ocean was demanded, sought and found and who was the first to be able to say "Il Mondo e Poco"—the world is not so large as men have thought. Be it therefore

Resolved, That the Senate of the General Assembly of Pennsylvania in the name of the People of Pennsylvania voice its admiration to the great Italian Nation, our fallant and faithful ally in our sustained fight for freedom of mankind and extend its felicitations to our citizens of Italian descent on this great holiday which will be celebrated throughout the breadth and length of our Commonwealth tomorrow, Wednesday, October 12, 1955 as Columbus Day.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, unbeknown to me that there was going to be a great deal of discussion today about freedom of the press and about the gentlemen who write for our newspapers, I prepared this resolution a few weeks ago and had waited to see what would take place in the newspapers in connection with a number of matters which were going on in this Commonwealth. I

feel that, as a result of what has taken place, I would like to present this resolution.

I would like to make just this short statement about the resolution. We have often heard and we have been afforded the privilege, and also the right, in our Bill of Rights in the United States Constitution and also in our State Constitution of freedom of the press, but I believe the people themselves have a right to be free from the press.

Mr. President, very recently in Philadelphia it has been highlighted, both in civil and criminal matters, that cases are tried in the newspapers. Complete releases are made to the newspapers by persons in authority or persons in semi-positions of authority in reference to these cases which are now pending before the courts, and before these matters are judicially determined they have been tried in the newspapers and everybody has an opinion. It is, therefore, difficult for the person who is engaged or involved in this litigation to receive what is known, and guaranteed by the Constitution, as a fair trial.

Mr. President, I think between these two rights which we have, one of freedom of the press and also the right to obtain a fair trial, sometimes the individual right should rise higher or at least to the same level as freedom of the press. I feel that people should have a right to be free from the press.

We all know that if someone is accused of some sort of a crime or is involved in some litigation, there immediately appears on page one, complete with pictures, a detailed story of their life, their family, their children and everybody concerned with them. Maybe a year thereafter the case may be brought to trial and the result may be that the person will be found not guilty or will be found to be innocent of the crime as charged, or it will be found that there was no reason for this litigation to have taken place originally and this news appears usually on page sixty-two, if it appears at all, inside the newspaper right underneath the obituary column. This thus leaves the person under a cloud for the rest of his life, because everybody remembers the story on page one, but very few people get around to reading the story on the inside of the paper.

This is also particularly true of people who are engaged in public life. Most of us here at some time or other have been attributed statements which we never made or certain actions have been attributed to us with which we had nothing to do. It is impossible for us to take a front page ad in any newspaper to explain our position or in any way further what we had in mind, or what were truly our words or what were truly our actions.

I, therefore, Mr. President, on behalf of what I believe to be inequities, offer this resolution and ask that it be referred to the proper committee for further study.

SENATE CONCURRENT RESOLUTION

REFERRED TO COMMITTEE

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY AND INVESTIGATE NEWSPAPER REPORTING

Mr. WEINER offered the following resolution which was twice read and referred to the Committee on State Government:

In the Senate, October 11, 1955.

While the freedom of the press is fully recognized, its constitutional guaranty is restricted by the phrase "being responsible for the abuse of that liberty."

Far too often is the liberty and property, even life itself, of individuals prejudiced by irresponsible and prejudiced news reporting of criminal prosecutions and litigation in our courts of justice.

Courts are established for the purpose of bringing a supposed offender to justice by due course of law and impartially determining the rights and liabilities of litigants. These functions are seriously interfered with by inaccurate and incomplete newspaper coverage prejudging merits without benefit of the application of legal principles; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to study and investigate newspaper reporting and its effect on prosecutions and litigation when it is inaccurate and incomplete; and be it further

Resolved, That the Joint State Government Commission report to the next session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect; and be it further

Resolved, That this resolution constitute the complete directive to the Joint State Government Commission notwithstanding any resolution heretofore adopted.

SENATE CONCURRENT RESOLUTION

DESIGNATING THAT THE FLOOD CONTROL DAM ON THE FIRST FORK OF THE SINNEMAHONING CREEK BE NAMED THE GEORGE B. STEVENSON DAM

Messrs. DERK, BERGER, WADE and WOLFE offered the following resolution, which was twice read as follows:

In the Senate, October 11, 1955.

The Commonwealth through its General State Authority is constructing an important flood control dam on the First Fork of the Sinnemahoning Creek in Grove Township, Cameron County, at a location originally selected by the United States Army Engineers. The dam when completed and put into operation at full capacity will form a lake of 1485 acres in area in Cameron and Potter Counties.

Because of his untiring efforts in securing effective flood control for the West Branch of the Susquehanna River and his active interest and assistance in furthering the construction of the First Fork Sinnemahoning Dam, it is fitting that the Honorable George B. Stevenson, Senator from the Twenty-sixth Senatorial District, be honored in connection therewith; therefore be it

Resolved (the House of Representatives concurring), That the flood control dam on the First Fork of the Sinnemahoning Creek in Grove Township, Cameron County, be designated as the George B. Stevenson Dam; and be it further

Resolved, That the Department of Forests and Waters erect suitable tablets or markers on the dam to perpetuate this resolution.

RULE 39 SUSPENDED

Mr. DERK. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

RESOLUTION UNANIMOUSLY ADOPTED

Mr. DERK. Mr. President, I move that the Senate adopt this resolution.

Mr. BERGER. Mr. President, I would like to second the motion for the adoption of this resolution, and in doing so say that we, in the northern part of Pennsylvania, recognize the efforts which have been continuous and untiring by Senator Derk and Senator Stevenson in obtaining relief from the disasterous floods which have struck that area for many years.

Furthermore, I would like to say that I am very proud to be a co-sponsor of the resolution which honors Senator George B. Stevenson by naming that very large and very excellent flood control dam on the First Fork of the Sinnemahoning Creek after him.

The resolution was unanimously adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. HALUSKA. Mr. President, I move that the Senate do now take a recess for fifteen minutes, for the purpose of holding a Democratic Caucus and a Republican Caucus.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

COMMUNICATION FROM THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF THOMAS F. BELL AS A MEMBER OF THE BOARD OF TRUSTEES OF BLOSSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 13, 1955, for the appointment of Thomas F. Bell, Blossburg, Tioga County, as a member of the Board of Trustees of Blossburg State Hospital, for the term of four years and until his successor is appointed and qualified, vice Ambrose Manikowski, Blossburg, whose term expired.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 2, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Rev. Andrew P. Maloney, 240 West Broad Street, Hazleton, Luzerne County, for appointment as a member of the Board of Trustees of Danville State Hospital, for the term of four years and until his successor is appointed and qualified, vice George Scott, deceased.

GEORGE M. LEADER.

MEMBERS OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Allegheny County Board of Assistance:

Dr. W. R. Vivrett (Dem.), East End Christian Church, 6002 Alder Street, Pittsburgh 6, to serve until December 31, 1956, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Jessie M. Vann (Rep.), Fourteenth Street, Oakmont, to serve until December 31, 1957, and until her successor is duly appointed and qualified. (Reappointment)

Stanton C. Crawford (Rep.), Dean, College of Arts and Sciences, University of Pittsburgh, 1801 Cathedral of Learning, Pittsburgh 13, from January 18, 1954, until December 31, 1955, and until his successor is duly appointed and qualified.

William J. McCafferty (Dem.), 1112½ Chartiers Avenue, McKees Rocks, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Donald B. Hirsch, Esq., Pittsburgh, whose term expired.

Dr. Florence L. Marcus (Dem.), 3939 Penn Avenue, Pittsburgh 24, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Mrs. Mayme Hubbard, Verona, whose term expired.

Everett E. Utterback, Esq. (Dem.), 200 Ross Street, Pittsburgh to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice George V. Lang, Pittsburgh, whose term expired.

Edward A. Feigenbaum (Rep.), 4627 Baum Boulevard, Pittsburgh 13, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice Mrs. Gladys Hess, Tarentum.

Mrs. Sarah Limbach (Dem.), 66 Riverview Avenue, N. S., Pittsburgh, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice C. A. Leeming, Munhall, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 28, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ernest W. Hofman, Washington Township, York County, P. O., R. D. 1, East Berlin, for appointment as Juistice of the Peace in and for the Township of Washington, York County, until the first Monday of January 1956, vice O. S. Hofman, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Mains, Eighth Avenue, Sutersville, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of Suterville, Westmoreland County, to serve until the first Monday of January 1956, vice Robert D. Rae, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Woodrow W. Brown, 1404 Race Street, Williamsport, Lycoming County, for appointment as Justice of the Peace in and for the Township of Old Lycoming, Lycoming County, to serve until the first Monday of January 1956, to fill a vacancy.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Hill, R. D. 2, Montoursville, Lycoming County, for appointment as Justice of the Peace in and for the Township of Upper Fairfield, Lycoming County, to serve until the first Monday of January 1956, vice John A. Fisher, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 1, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert C. Schnepf, Box 345, Conneaut Lake, Conneaut Lake Park, Crawford County, for appointment as Justice of the Peace in and for the Borough of Conneaut Lake, Crawford County, until the first Monday of January 1956, to fill a vacancy.

GEORGE M. LEADER.

MEMBERS OF WASHINGTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 6, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Washington County Board of Assistance:

Mrs. Delia Kelly (Dem.), 988 Thompson Avenue, Donora, to serve until December 31, 1956. (Reappointment)

Mrs. Ruth A. Cummins (Rep.), 694 North Main Street, Washington, from April 1, 1954 until December 31, 1955, and until her successor is duly appointed and qualified.

Presly N. Wrenshall (Dem.), 253 East Wheeling Street, Washington, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice Russell Z. Moninger, Washington, whose term expired.

Charles L. Martin (Dem.), Main Street, Ellsworth, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Brad R. Williams, Canonsburg, whose term expired.

Mrs. Mayme E. Martin (Dem.), 640 Duncan Avenue, Washington, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice George D. Grimes, Centerville, resigned.

Mrs. Elizabeth Gales (Dem.), 327 Phillips Street, Speers, Charleroi, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Irene Walker, Daisytown, deceased.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

Mr. KOPRIVER, JR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KOPRIVER, JR. read in place and presented to the Chair Senate Bill No. 807, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," including public autioneers of land within the definition of real estate broker or salesman.

Which was committed to the Committee on Education.

CALENDAR

SENATE BILL No. 785 CALLED UP OUT OF ORDER

Mr. MAHANY. Mr. President, at this time I call up out of order, from today's Second Reading Calendar, Senate Bill No. 785, Printer's No. 296.

SECOND READING CALENDAR

BILL RECOMMITTED

Mr. DENT. Mr. President, we are hopeful of holding a short recess for an immediate meeting of the Committee on Appropriations for consideration of this legislation.

Therefore, Mr. President, I move that Senate Bill No. 785, on second reading, entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursements to school districts.

be recommitted to the Committee on Appropriations.

Mr. MAHANY. I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SEYLER. Mr. President, as one who has been somewhat interested in the course of events which led up to this motion, I would like to state for the record that I am not going to object to the motion because of a conviction that, in good faith, an attempt is going to be made to arrive at a solution to the problem which we are discussing which will provide a reasonable and substantial increase in teachers salaries and thus make a contribution to seeing to it that we have better teachers in the Commonwealth of Pennsylvania.

I realize that in order to accomplish what we are trying to do, it is perhaps necessary to meet with the views of others in order to get the sufficient support which is needed to pass this legislation. I am convinced that, at this time, all parties are acting in good faith and I believe that a solution will be forthcoming which perhaps while not meeting the original intent of the sponsors of the amendment, which is being passed by at this point, will nevertheless result in a solution that will be of benefit to the schools of the Commonwealth.

Mr. President, it was my intention, had not Senator Mahany beat me to it, to second the motion.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for fifteen minutes, for the purpose of holding a meeting of the Committee on Appropriations.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, re-reported as amended Senate Bill No. 785, entitled:

An Act making appropriations to the Department of Public Instruction for reimbursements to school districts.

CALENDAR

FINAL PASSAGE CALENDAR

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 773, as follows:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highway peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships wtihin the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" prohibiting the operation of motor vehicles the mufflers of which have internal parts removed.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 819 act of May 1 1929 (P. L. 905) known as "The Vehicle Code" amended June 22 1931 (P. L. 751) is amended to read

Section 819 Prevention of Noise

(a) No person shall operate a motor vehicle except fire department and fire patrol apparatus on a highway unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise.

(b) It shall be unlawful to use a muffler cut-out or a bi-pass in a muffler on any motor vehicle except fire department and fire patrol apparatus.

(c) No person shall operate a motor vehicle on any highway equipped with a muffler from which the baffles plates screens or other original interial parts have been removed and not replaced.

Penalty Any person violating any of the provisions of subsections (a) and (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person violating any of the provisions of subsection (c) of this section shall upon summary conviction before a magistrate be sentenced to pay of fine of not to exceed one hundred ($100) dollars or to undergo imprisonment not to exceed ninety (90) days or both.

And the amendment made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1104, as follows:

An Act amending the act of April 21, 1949 (P. L. 665) entitled "An act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties" providing for the revision of home rule charters providing for the establishment of a charter revision commission for the purpose of making revisions and imposing duties upon city councils city officers boards of election courts and the Secretary of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 17 and 19 act of April 21, 1949 (P. L. 665) known as the "First Class City Home Rule Act" are amended to read

Section 17 General Grant of Power and Authority Subject to the limitations hereinafter prescribed the city taking advantage of this act and framing and adopting [or] amending or revising its charter thereunder shall have and may exercise all powers and authority of local self-government and shall have complete powers of legislation and administration in relation to its municipal functions including the power and authority to prescribe the elective city officers who shall be nominated and elected only in the manner provided by and in accordance with the provisions of the Pennsylvania Election Code and its amendments for the nomination and election of municipal officers The charter of any city adopted [or] amended or revised in accordance with this act may provide for a form or system of municipal government and for the exercise of any and all powers relating to its municipal functions not inconsistent with the Constitution of the United States or of this Commonwealth to the full extent that the General Assembly may legislate in reference thereto as to cities of the first class and with like effect and the city may enact ordinances rules and regulations necessary and proper for carrying into execution the foregoing powers and all other powers vested in the city by the charter it adopts or by this or any other law Ordinances rules and regulations adopted under the authority of this act or under the provisions of any charter adopted [or] amended or revised hereunder shall be enforceable by the imposition of fines forfeitures and penalties not exceeding three hundred dollars ($300) and by imprisonment for a period not exceeding ninety days

Section 19 Validation of Charter Proceedings No charter or any amendment to or any revision of an existing charter when adopted by a majority vote of the qualified electors of any city voting at any election shall be declared invalid or be set aside on account of any defect error or omission in the proceedings for the adoption of any such charter or amendment or revision

Section 2 The act is amended by adding after section 20 a new article to read

Article IV

Charter Revision Commission

Section 20.1 Any city of the first class which has herefore adopted or hereafter shall adopt a home rule charter may in addition to the method now provided by law for the amendment of a home rule charter revise such charter in accordance with the procedure herein provided

Section 20.2 Any city of the first class which has heretofore adopted or hereafter shall adopt a home rule charter may at any time thereafter by ordinance provide for the establishment of a charter revision commission to study the overall operations of the home rule charter in its entirety and to propose revisions of the charter

Section 20.3 The charter revision commission shall consist of twelve members who shall be registered electors of the city of the first class The members shall be appointed by the mayor within thirty days after the final enactment of the ordinance establishing the commission three for a term of one year three for a term of two years three for a term of three years and three for a term of four years thereafter all appointments shall be for a full term of four years Not more than one-half of the members of the commission shall be registered electors enrolled in the same political party Any vacancy in the membership of the commission caused by death resignation or otherwise shall be filled for the balance of the unexpired term by the appointing power who shall appoint as a member of the commission a registered elector enrolled in the same political party as the member when such appointee shall succeed

Section 20.4 The mayor of the city shall call the first meeting of the members of the charter revision commission within thirty days after its appointment to be held at a time and place fixed by him At such meeting the commission shall organize by electing from among its members a chairman and a secretary and shall adopt rules to govern its proceedings All meetings of the commission shall be open to the public except when the commission meets in executive session All acts of the commission shall be by a majority vote of all of its members

Section 20.5 The members of the commission shall receive no compensation for their services but the council of the city shall by ordinance provide for the expenses of the commission The commission may select its necessary personnel who shall be appointed by the commission and shall be subject to such rules as the commission may impose with regard to qualifications appointments salary conditions of employment and separation

Section 20.6 The commission shall make a detailed overall study of the operations of the home rule charter and of its existing provisions and of proposed revisions of the charter For this purpose it shall ascertain and consider the views of the agencies departments boards and commissions of the city representatives of civic agencies and of interested citizens and organizations concerning improvements in the home rule charter.

Section 20.7 The commission shall file with the mayor and the president of the council of the city as promptly as possible its final report The commission's report shall consist of

(1) The findings of the commission

(2) The proposed "Revised Home Rule Charter" containing the text of the home rule charter as revised by the commission The commission may submit alternative provisions which may be adopted in the place of any designated portion of the proposed revised charter

(3) A summary of the basic changes which as the commission in its discretion shall determine are to be separately voted on

(4) The ballot questions to be submitted to the electors The commission shall have the sole and exclusive discre-

tion to determine the ballot questions necessary to submit to the voters to ascertain their approval or disapproval of the purposed "Revised Home Rule Charter" or any portion of it and of any basic change separately submitted

Section 20.8 The proposed "Revised Home Rule Charter" the statement of basic changes provided therein and the ballot questions shall and the findings of the commission may be printed by the commission in pamphlet form at the time its report is submitted to the mayor and president of the council in sufficient number for general distribution by the commission the council and the mayor A copy of such pamphlet shall be posted at each polling place of the city on the day of election Notice of the election and the ballot questions to be voted upon shall be published in at least three newspapers of general circulation in the city once a week for three consecutive weeks at least thirty days prior to the election

Section 20.9 The proposed "Revised Home Rule Charter" shall be submitted to the electors of the city for their approval or disapproval at a special election to be held on the day of the next succeeding general election designated by the president of council and occurring not less than forty-five days from the date the report is filed.

Section 20.10 Within fifteen days after the filing of the report of the commission the clerk of the council of the city shall certify an exact copy of the text of the proposed "Revised Home Rule Charter" together with the necessary ballot questions to the board of elections of such city which board shall cause the ballot questions to be properly printed on the ballots or ballot labels

Section 20.11 The elections provided for in this amendment shall be conducted as prescribed in section 13 of this act At least thirty days notice of each election herein provided for shall be given by proclamation of the mayor of the city A copy of the proclamation shall be posted at each polling place of the city on the date of the election and shall be published in at least three newspapers of general circulation in the city once a week for three consecutive weeks during the period of thirty days prior to the election which publications may be included in the publications required to be made under the provisions of section 20.8 of this act

Section 20.12 The clerk of the council shall forthwith cause the "Revised Home Rule Charter" or separate revisions approved by the qualified electors to be recorded in the ordinance book of the city He shall also file a certified copy thereof in the office of the Secretary of the Commonwealth and the text thereof shall be published as an appendix to the next volume of the pamphlet laws subsequently published.

Section 3 This act shall take effect immediately.

An the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1630, as follows:

An Act amending the act of May 1 1929 (P.L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissable as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfietures fees and miscellaneous receipts making an apropriation and providing for refunds" regulating registration of antique motor vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of the words "Antique Motor Vehicle" in section 102 act of May 1 1929 (P. L. 905) known as "The Vehicle Code" added August 24 1951 (P. L. 1360) is amended to read

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * *

"Antiques Motor Vehicle" Any self-propelled vehicle owned and operated as an exhibition piece or collector's item provided such vehicle shall have noted on its registration record the fact that it is such special purpose vehicle or any self-propelled vehicle manufactured more than twenty-five years prior to the current year Which is used for participation in club activities exhibits tours parades occasional transportation and similar uses but is not used for general daily transportation

* * *

Section 2 Section 413 of the act amended January 18 1952 (P. L. 2163) is amended to read

Section 413 Expiration of Registration All registrations except registration of antique motor vehicles shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following Provided That all registrations for commercial motor vehicles motor buses motor omnibusses truck tractors trailers and semi-trailers for the registration year one thousand nine hundred fifty-three shall expire May thirty-first one thousand nine hundred fifty-four provided further That no registration for a commercial motor vehicle motor bus motor omnibus truck tractor trailer or semi-trailer shall be issued for the registration year one thousand nine hundred fifty-three prior to the first day of June one thousand nine hundred fifty-three unless the application therefor is accompanied by the annual fee prescribed plus an additional fee equal to one sixth thereof Commencing with the registration year one thousand nine hundred fifty-four and thereafter registrations for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers shall be issued for a registration year commencing on June first of one year and expiring May

thirty-first of the year following Registration shall also expire when suspended for cause by the secretary and immediately upon the transfer of ownership or the destruction of the vehicle Registrations for the succeeding year may at the option of their holders be used on and after the fifteenth day of the month immediately preceding the beginning of the current registration year Registrations of antique motor vehicles shall be for the duration of the time that such vehicles are owned by residents of Pennsylvania

Section 3 Section 501 of the act is amended by adding after subsection (d) a new subsection to read

Section 501 Registration plates to be Furnished by Department

* * *

(e) Registration plate or plates furnished for an antique motor vehicle need not have any registration numbers or figures or other indications of the renewal of registration but only such identification as the department deems necessary

* * *

Section 4 Section 510 of the act amended January 18 1952 (P. L. 2163) is amended to read

Section 510 The Expiration of Registration Plates

(a) All registration plates except registration plates for antique motor vehicles shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following Provided That all registration plates for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers for the registration year one thousand nine hundred fifty-three shall expire May thirty-frst one thousand nine hundred fifty-four commencing with the registration year one thousand nine hundred fifty-four and thereafter registration plate for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers shall be issued for a registration year commencing on June first of one year and expiring May thirty-first of the year following Registration plates shall also expire when suspended for cause by the secretary The registration plate or plates for the succeeding year may at the option of the owner be used on and after the fifteenth day of the month immediately preceding the beginning of the current registration year Registration plates for antique motor vehicles shall be issued for the duration of the time that such vehicles are owned by residents of Pennsylvania The registration plates issued for any antique motor vehicle shall be returned to the department upon transfer of the title to any such vehicle to a non-resident of Pennsylvania

(b) No motor vehicle trailer or semi-trailer shall be operated with a registration plate or plates which have expired nor without registration plate or plates on as required by this act the claim by the owner or operator that the registration plate or plates for the current year have been applied for but not received

Penalty Any person violating any of the provisions of subsection (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10.00) dollars and costs of prosecution and in default of the payment thereof undergo imprisonment for not more than five (5) days

Section 5 The act is amended by adding after section 711 a new section to read

Section 711.1 Antique Motor Vehicles The fee for registration of an antique motor vehicle for the duration of the time that such vehicle is owned by a resident of Pennsylvania shall be twenty ($20.00) dollars.

An the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,

NAYS—1

Fleming,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SENATE BILL No. 785 TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table Senate Bill No. 785, for consideration at this time.

BILL ON SECOND READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the second reading of Senate Bill No. 785, Printer's No. 306, which was re-reported from committee, as amended, at today's session.

Mr. PECHAN. I second the motion, Mr. President.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 785, entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursements to school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I would like to comment briefly on Senate Bill No. 785, which has now passed second reading.

As we all remember, last night we had a lot of discussion and debate relative to Senate Bill No. 785 and in the early morning hours we were quite undecided as to what we should do and, therefore, it was decided that we should adjourn and come back today so that perhaps, in the light of a new day, we could work out some settlement of any differences which might exist relative to this very worth-while legislation.

Mr. President, we have seen the legislative process work where Democrats and Republicans got together and settled any differences which might have existed between them to the satisfaction, I believe, of all, including the sponsors of this legislation. What looked last night to be something we might not be able to agree on is today,

less than twenty-four hours later, something which we find we are now in perfect accord with, and we feel that the amount, as set forth in these amendments to the bill, will adequately take care of the justifiable increases of teachers salaries which might be enacted by this Session of the Legislature. We have set up a special fund to be used in the event this Legislature sees fit to enact the necessary legislation to do the job.

Mr. President, I want to compliment the sponsors of the bill, and my colleagues on both sides of the aisles, for being so cooperative in working something out in legislative way which seemed to be impossible to work out just a short time ago. It just goes to show what can happen when our tempers are allowed to cool, and that we can do a job when we are on our toes instead of when we are in the heat of a debate, which sometimes causes our tempers to flare up and we lose our patience and our natural inclination to get together and cooperate, so that the affairs of the Commonwealth can be benefited.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, as one of the sponsors of the amendments in question, which led to the problem which has just been amicably solved, I would like to express my satisfaction of the solution. I only take exception to one word which the gentleman who spoke used and that is the word "adequately." I will still contend that we have not adequately perhaps done this, but we have done it in a manner which is agreeable to everybody and it is certainly a long step towards the objective which we all seek.

Mr. President, I think that the people who are interested in public education throughout the Commonwealth will be very much gratified at the work the Senate has done this day.

THIRD READING CALENDAR

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 33, entitled:

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge now under construction and the Saw Mill Run Interchange of the Parkway-West providing for the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

POINT OF INFORMATION

Mr. SEYLER. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from York, Mr. Seyler, will state his point of information.

Mr. SEYLER. Mr. President, I have a habit of reading bills and trying to keep in touch with what happens, and I would ask the Chair how it is that this bill is on third reading today. I am not opposed to the bill, but I want it to be done legally so that when the bill passes, there is no question.

My investigation revealed that Senate Bill No. 33, according to the History of Senate bills, if that is correct, was re?referred to the Commttee on Appropriations after it had passed first reading. I raise the question, in that case, how it is that today it appears on third reading. It seems to me that it should be on second reading.

Mr. KOPRIVER, JR. The bill passed second reading and was then re-referred to the Committee on Appropriations.

Mr. SEYLER. Mr. President, do I understand that the History is incorrect?

The PRESIDENT. The Chair is informed that there is an error in the History and that the bill has properly passed second reading, was then re-referred to committee and was subsequently re-reported.

Mr. SEYLER. Thank you, Mr. President.

And the question recurring,

Shall the bill pass finally?

Mr. KOPRIVER, JR. Mr. President, this is a bill authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge in Pittsburgh and the Saw Mill Run Interchange in the county of Allegheny, in my Senatorial District.

Two years ago when the commission was set up, we were told that the reason they set up a commission on the tunnel was just to move it along so they could design a tunnel, and after the tunnel was designed they were going to dissolve the commission.

Mr. President, it so happened that that was a nice story to get the bill passed, and I agreed to go along but found out later that this was not true. However, four members of the House from my District and myself introduced a bill in this Senate, and also one in the House, providing for the construction of a toll free tunnel between these two points on the Pitt-Penn Parkway, east and west.

I understand, and know, that the Comonwealth has spent over $100,000,000 in improvements and the job is not done as yet in downtown Pittsburgh. It seems to me that since the Squirrel Hill Tunnel in Pittsburgh is toll free, there is no sense in having the Commonwealth invest all that money in a toll tunnel on the south side of the Monongahela River, close to the Point in Pittsburgh, and thereby penalize the people who live in the South Hill area of Allegheny County. The South Hill area is made up of many residential areas and political subdovisions and they will be penalized just because they happen to live in that part of Allegheny County. I say that if they build a toll free tunnel on one side of the river, they should build a toll free tunnel on the other side of the river. I know that the opposition will tell you that the Highway Department has never made the statement that they will build the tunnel out of highway funds.

Mr. President, I am a member of the Allegheny Conference of Community Development because I am the Mayor of Duquesne. For ten years I have been going to their meetings and I know what they have been talking about and how they have been planning this great improvement which will be paid for by the Commonwealth of Pennsylvania. The city of Pittsburgh has spent very little money on that parkway and very little money has

been spent by the county of Allegheny. I would say that ninety-five per cent of the cost has been paid for by the Comonwealth.

I cannot see why my District in Allegheny County should not have a toll free tunnel. It is the same thing as building a three story home and finding out that in order to get to the third floor, you have to pay a nickel to go through the second floor.

Mr. President, this tunnel is part of a great improvement program, but if you have to pay a toll on any part of it, when ninety per cent of it is practically free, it will certainly spoil the amount of money involved as far as the Commonwealth is concerned. Therefore, I will ask my colleagues on this side of the aisle to vote for this bill because it is no more than right that you treat both sides of the river fairly.

Mr. BARR. Mr. President, this is what I call pork barrel politics.

Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Kopriver.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Kopriver, permit himself to be interrogated?

Mr. KOPRIVER, JR. I will, Mr. President.

Mr. BARR. Senator Kopriver, would you tell me who told you that this tunnel commission was to be disolved?

Mr. KOPRIVER, JR. Well, that was told to us here three years ago in the Senate by more than one person.

Mr. BARR. Could you name any of those persons?

Mr. KOPRIVER, JR. I am going to be like Senator Holland and not name anybody.

Mr. BARR. Thank you very much. That is all.

Mr. President, at the time that the Penn-Lincoln Parkway was built, it was built at a tremendous expense to all of the people of this Commonwealth. The reason they spent so much money to build this parkway was because it was a needed thing, not just for the people in southwestern Pennsylvania but for everyone in Pennsylvania, particularly those who were in the interstate trucking business and vacationers.

At that time, in order for this road to be built there were to be two tunnels. This was agreed upon by the Allegheny County Conference, of which the gentleman is an ex officio member. They decided that one would be a free tunnel and the other would be a toll tunnel. The reason that the one was a toll tunnel was because the project could not be accomplished for some fifteen years if it was not to be a toll tunnel. I, like you, do not like to pay tolls anymore than any one else, but I do like to keep my word.

Mr. President, you probably know Ed Schmidt far better than I do. I can give you the telephone number of the Secretary of Highways who was in on the agreement. You probably know Governor Fine far better than I do, and I will give you his telephone number. He also was in on the agreement that this tunnel was to be a toll tunnel.

Mr. President, I am not too much concerned or worried about this bill, because I know that once it moves out of here it will stop, but I do not like people to enter into an agreement and then just because another party is in charge of the Highway Department, they attempt to use pork barrel politics.

If the Senator thinks that this might help him get some votes, it is all right with me. If that is the only way you can get votes, Senator Kopriver, you go right ahead, but I can promise you this, that your bill will meet a prompt and quiet death in the Committee on Highways in the House of Representatives.

Mr. KOPRIVER, JR. Mr. President, I have no intention of getting myself involved in an argument with Senator Barr. He has just told you what is going to happen if this bill passes the Senate.

I want to remind Senator Barr, and I feel that it is no more than right, that I live in the greatest valley of all of them, as far as I am concerned, and that is the Monongahela Valley. The reason we have not been able to get any improvements up there for years is because of the improvements being made in downtown Pittsburgh, on the parkway, east and west. I can not complain about that, because I know the conditions there are bad, but the rest of the county suffers. They have the by-pass which they have to worry about. Just recently, after the flood catastrophe up in eastern Pennsylvania, we found out there was an underestimation of $48,000,000 in the Highway Department which was not earmarked for any project. I suggested at that time that they could take this money and build the tunnel.

Mr. President, as far as Ed Schmidt is concerned, I do not know whether I know him better than Senator Barr or not. However, I know that at one time they had no intention of building a toll tunnel under Duquesne Heights. Whether or not Senator Barr says that is true, does not interest me because I was there at the meeting and I personally know what went on. I know that this was changed just a few years ago, and the reason it was changed, Mr. President, was because they wanted to build a cross-town boulevard from the proposed new Fort Duquesne Bridge over to connect onto the Ohio River Boulevard, and they want the Commonwealth to pay for that. They want the Commonwealth to pay for another cross-town boulevard running from the Bigelow Boulevard over to East Street. I can verify the county's support for the cost of these boulevards, through a talk I had with the treasurer of the Allegheny Conference when he tried to pass the Authority bill involving the re-development of the Hill District, which was stopped here in the Senate.

I said to the gentleman, "What assurance do we have? It is going to cost the county $1,000,000 to build a road from the Liberty Bridge over to Bigelow Boulevard. What assurance do I have, after the road is built that far, that you will not say, 'We do not have any money as far as the county is concerned and we do not have any money as far as Pittsburgh is concerned, so come on, Mr. Commonwealth, and build that cross-town boulevard to East Street?' " Now those are the things which are in the making. I know they are going on and it is part of the record. The fact remains that if they build these two projects, they will be paid for by the Comonwealth and not by the county of Allegheny or the city of Pittsburgh and both have put very little money in all of this improvement in the city of Pittsburgh.

Mr. HOLLAND. Mr. President, like the very illustrious Senator from Duquesne, I, too, live in the Monongahela Valley, the River Valley. In fact, I live in the south side of Pittsburgh, which is a very high class part of the valley. This is where everything started and then sprouted out to Duquesne later on.

Mr. President, I am going to vote for this bill for only

one reason. The Senator is bleeding and dying, but he never mentioned the fact that this bill is in the midst of my District which is the 19th Ward. The 19th Ward is where this tunnel goes through. I see he is shaking his head, but I think he had better learn a little bit about the city of Pittsburgh.

This tunnel will feed into the heart of my highly populated and residential District. I will vote for the bill so that Senator Kopriver cannot go through my District and say that I voted against giving him a tunnel to the bridge. Of course, I am not accusing him of playing politics. I do not think that Mr. Kopriver would play politics any time. He is a statesman of the highest type and I know that he would not play politics with the tunnel and has no ulterior motives in this bill. However, for fear that someone else, who Mr. Kopriver knows, might say that I voted against getting the tunnel for Mount Washington and Duquesne Heights, I am going to vote for this bill.

I am at the point now where I have a lot more faith in the lower House using good intelligence than I have in the Senate. I am a good bit like Senator Dent. I think that we have fallen into disrepute. Therefore, I am voting for this bill so that no one can play politics with the bill and go through my District and say that I opposed a tunnel.

I also want to add, though, that I do not think Mr. Kopriver ever plays politics. He has been very, very successful in being elected to two jobs; namely, Mayor of the City of Duquesne and to the State Senate of Pennsylvania. I would like to know the secret of how a man can keep those two jobs without playing politics, because I think that a man who can hold two jobs is a wizard.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the onstitution, and were as follows, viz:

YEAS—25

Berger,	Kessler,	McPherson, Jr.,	Van Sant,
Blass,	Kopriver, Jr.,	Pechan,	Wade,
Chapman,	Madigan,	Propert,	Watkins,
Diehm,	Mahany,	Scott,	Watson.
Flack,	Mallery,	Stevenson,	Whalley,
Fleming,	Holland,	Taylor,	Wolfe,
Harney,			

NAYS—13

Barr,	Hays,	Miller,	Stiefel,
Camiel,	Lane,	Schmidt,	Weiner,
Dent,	McGinnis,	Seyler,	Yosko,
Derk,			

Less than a constitutional majority having voted "aye," the question was determined in the negative.

HOUSE BILL No. 925 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. FLEMING. Mr. President, I call up from the Third Reading Postponed Calendar, House Bill No. 925 for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 925, as follows:

An Act amending the act of July 29, 1953 (P. L. 1050) entitled "An act providing for the acquisition construction improvement operation and maintenance of tunnels for certain highway purposes within the Commonwealth authorizing the issuance of tunnel revenue bonds free from taxation and payable solely from tunnel earnings to pay the cost of such tunnels and improvements thereof providing for the collection of tunnel tolls for the payment of such bonds and for the cost of maintenance operation and repair of the tunnels constituting such bonds legal investments in certain instances prescribing conditions upon which such tunnels shall become free tunnels conferring powers and imposing duties on the Pennsylvania Tunnel Commission created hereby providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act and providing for condemnation" changing the method of procedure by the commission authorizing the Department of Highways to acquire land and interests therein for the commission and to grant the right to use the same and validating prior grants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 act of July 29 1953 (P. L. 1050) known as "The Intra-State Tunnel Revenue Bond Act" is amended to read

Section 3 Pennsylvania Tunnel Commission (a) There is hereby created a commission to be known as the "Pennsylvania Tunnel Commission" and by that name the commission may sue and be sued plead and be impleaded contract and be contracted with and have an official seal The commission is hereby constituted an instrumentality of the Commonwealth and the exercise by the commission of the powers conferred by this act in the construction operation and maintenance of tunnels shall be deemed and held to be an essential governmental function of the Commonwealth The commission shall consist of three members and the Secretary of Highways shall be a member ex officio The two remaining members shall be appointed by the Governor by and with the advice and consent of two-thirds of the members of the Senate and shall be residents of the Commonwealth of Pennsylvania at the time of their appointment and qualification and shall also at such time have been qualified electors therein for a period of at least one year next preceding their appointment The appointed members of the commission shall continue in office for terms of four years from the dates of their appointment and until their respective successors shall be duly appointed and qualified the term of each appointed member to be designated by the Governor at the time of his appointment and any member of the commission shall be eligible for reappointment

(b) Immediately after such appointments the members of the commission shall enter upon their duties Each appointed member of the commission before entering upon his duties shall take the oath prescribed by Article VIII of the Constitution of the Commonwealth The commission shall elect one of the appointed members as chairman of the commission and shall also elect a secretary and treasurer who may not be a member of the commission [Three members of the commission shall constitute a quorum who for all purposes must act unanimously] All action by the commission shall be taken only by the affirmative vote or written consent with or without a meeting of all the members of the commission Two members of the commission shall constitute a quorum for any meeting provided that no action at any such meeting shall be effective unless the absent member of the commission shall consent to such action in writing The commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic

architectural and construction experts and inspectors and attorneys and such other employes as may be necessary in its judgment and fix their compensation Provided however That all contracts and agreements relating to the construction of tunnels shall be approved by the Department of Highways and the tunnels shall be constructed under the supervision of the Department of Highways Each appointed member of the commission shall serve without compensation but each member of the commission shall be reimbursed for necessary expenses incurred in the performance of his duties All such compensation and salaries and all expenses incurred in the carrying out of the provisions of this act shall be paid solely from funds provided under the authority of this act and no liability or obligation shall be incurred hereunder beyond the extent to which money shall have been provided under the authority of this act

Section 3.1 Assistance by Department of Highways (a) The commission is hereby authorized to enter into agreements with the Department of Highways of the Commonwealth for traffic surveys preparation of plans and specifications supervision of construction and other engineering services and other preliminary expenses necessary in connection therewith and the obligation or obligations of the commission under the terms of such agreements shall be considered and deemed to be a part of the cost of the tunnel or tunnels to which such agreement relates and shall be reimbursed to the Department of Highways out of the proceeds of tunnel revenue bonds authorized by this act

(b) Whenever lands or interest in lands are required by the commission for promoting its proper purposes the Department of Highways with the approval of the Governor shall have power and authority to acquire such lands or interests therein by purchase or condemnation in the name of the Commonwealth The procedure for acquiring such lands or interests in lands and for the payment of the resultant damages by the department for the taking by condemnation shall be in accordance with the provisions of the State Highway Law in such case made and provided The power hereby conferred upon the department shall not limit or restrict the power of the commission itself to acquire lands or interests in lands as otherwise provided in this act

(c) For the purpose of aiding the commission in the accomplishment of its purposes the Department of Highways of the Commonwealth shall have power and authority with or without consideration upon such terms as may be determined by the department to be appropriate to grant convey transfer or assign to the commission and the commission shall have power and authority to so acquire from the department the right to use for any proper purpose of the commission any lands easements or rights in land and any buildings or improvements thereon heretofore or hereafter constructed made or acquired by the department whether by purchase condemnation or otherwise Any and all such grants conveyances transfers or assignments heretofore made by the department to the commission are hereby ratified approved and confirmed Any amounts paid or payable by the commission to the department for any such grant conveyance transfer or assignment shall be considered and deemed to be a part of the cost of the tunnel or tunnels in respect of which acquired and shall be reimbursed to the department out of the proceeds of tunnel revenue bonds authorized by this act

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. FLEMING. Mr. President and Members of the Senate, the reason for calling this bill up from the postponed calendar was because we had put it on there with the hope that Senator Kopriver's measure, making it a toll free tunnel, would be passed. However, the bill just failed of final passage.

The bill before us now is a House Bill, which merely gives to the tunnel commission the right to go ahead with the work and also, according to the bond council, it will give them the right to sell the bonds and let the tunnel work proceed. I know that everyone in Allegheny County and in southwestern Pennsylvania is in favor of this tunnel going through one way or the other.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. HOLLAND. Mr. President, how did Senator Kopriver vote?

The PRESIDENT. The gentleman from Allegheny, Mr. Kopriver, is recorded as voting "no."

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,

NAYS—1

Kopriver, Jr.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 386, as follows:

An Act amending the act of March 26, 1931 (P. L. 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" providing a fee for services in cases removed to any appellate court of this Commonwealth or to any court of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of March 26, 1931 (P. L. 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" amended May 18, 1945 (P. L. 726) is amended to read

Section 1 Be it enacted &c That in all counties of the second class the fees to be allowed the district attorney shall be as follows

For drawing bill of indictment and prosecuting the same for every homicide one hundred fifty dollars and twenty-five dollars additional for every day of trial exceeding one day

For every such bill returned ignoramus twenty-five dollars

For drawing bill of indictment and prosecuting same for every offense triable only in the court of oyer and terminer and general jail delivery except homicide

twenty-five dollars and ten dollars additional for every day of trial exceeding one day

For every such bill returned ignoramus fifteen dollars

For drawing bill of indictment and prosecuting the same for every offense triable in the court of quarter session of the peace twenty-five dollars and ten dollars additional for every day of trial exceeding one day

For every such bill returned ignoramus fifteen dollars

For every such case settled with leave of court fifteen dollars

For every case where a nolle prosequi is entered fifteen dollars

For every surety of the peace case fifteen dollars

For obtaining judgment on forfeited recognizance twenty-five dollars

For every homicide case where insanity is pleaded at arraignment and a special jury called to try said issue one hundred dollars

For the disposition of every case in which the record shall have been removed by writ of certiorari or otherwise to any appellate court of this Commonwealth or to any court of the United States for review two hundred dollars

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 574, as follows:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire by gift the Old Brown's Mill building and project in Intrim Township Franklin County and providing for its maintenance and control

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Historical and Museum Commission is hereby authorized to acquire by gift in the name of the Commonwealth as a landmark in the history of Pennsylvania education from the Old Brown's Mill School Memorial Association of Antrim Township Franklin County owner thereof the Old Brown's Mill building and project described as follows

Beginning at an iron pin in the public road leading from Brown's Mills to Chambersburg at lands now or formerly of E. O. McLanahan and Dr. L. M. Kauffman thence along lands of McLanahan south 51 degrees east 8.45 perches to an iron pin thence along lands of McLanahan south 39 degrees west 11.54 perches to a point at Brown's Mills School House grounds thence along the school grounds north 25 degrees west 9.34 perches to a point in the public road thence in the road and along lands now or formerly of Dr. L. M. Kauffman north 39 degrees east 7.5 perches to the place of beginning

Containing 80 square perches more or less of land.

And being the same land conveyed to the Old Brown's Mill School Memorial Association by deed of the School District of Antrim Township Franklin County dated May 5 1945

Section 2 The land shall not be acquired until its title has been approved by the Department of Justice

Section 3 After title is acquired by the Commonwealth the Pennsylvania Historical and Museum Commission is authorized to acquire by gift all the assets of the Old Brown's Mill School Memorial Association and the commission shall have power to adopt and carry into effect plans for its maintenance using therefor any funds at the disposal of the commission and to make and enforce rules and regulations for the preservation of the property and visitation thereof by the public

Section 4 This act shall take effect immediately

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. McPHERSON, JR. Mr. President, I previously indirectly made a misstatement. I believe I stated that the commission had over $2,000 to turn over to the State in connection with this Old Brown's Mill building. I was mistaken in the figure. The figure is over $500.

I am told that the expense of maintenance of this historic piece has been less than $100 over a period of ten years, or $100 per period of ten years.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 657, on third reading, entitled:

An Act amending the act of August 22, 1953 (Appropriation Acts 101) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of awards of the Commonwealth.

be recommitted to the Committee on Appropriations.

Mr. YOSKO. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, the reason for this motion to recommit is because I understand that the money which was set up in this fund for this purpose in the 1953-1955 biennium was lapsed on September 1st and, therefore, there would not be any funds to carry out the purpose of this bill if we passed it.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 780, as follows:

An Act amending the act of July 2, 1937 (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition licensee fees for permission to conduct the same" making the provisions of the act effective in municipalities and townships further regulating statements of inventories further regulating the issuance renewal denial and refusal of licenses and the conduct of sales designating certain actions as violations of the act authorizing appeals from refusal or denial to issue licenses.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections 1 and 2 act of July 2, 1937 (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of license fees for permission to conduct the same" are amended to read.

AN ACT

To regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in [cities and certain boroughs of this Comonwealth] municipalities and townships and to prevent fraudulent practices in connection therewith and providing penalties for violation thereof and for the imposition of license fees for permission to conduct the same.

Section 1 Be it enacted &c That from and after the first day of July one thousand nine hundred and thirty-seven it shall be unlawful for any person partnership association or corporation in [the cities] municipalities or townships of this Commonwealth [and in boroughs having a population of more than two thousand five hundred inhabitants] to advertise or hold out by any means that any sale of goods wares and merchandise in an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing out sale or a sale of goods damaged by fire smoke or water unless a license is first obtained to conduct such sale from the treasurer of the city or borough or from the council of the town or board of commissioners or board of supervisors of the township in which it is to be held.

Section 2 (a) Upon application for such license the applicant shall make a full disclosure under oath of the following information. The true name of the owner of the goods to be offered for sale the name of the operator of the sale if a person other than the true owner a full and complete detailed and itemized inventory of the quantity kind brand name and character of the goods to be offered for sale and the source from which the goods wares and merchandise were secured together with the names and addresses of the last previous owners thereof which shall be prepared in the following manner. First a listing of all goods which have been in stock for a period of fifteen days or longer prior to the application for the license second a listing of all goods received in stock within fifteen days immediately preceding the application for the license third a listing of all goods hich have been ordered and will be placed in stock during the pendency of the sale the method by which the applicant for the license or the true owner of the goods if a different person acquired title to the same and the reason for the urgent and expeditious disposal thereof [The said treasurer may require any further information necessary to inform him as to whether such license should be granted and if any defect appears in the title to the goods or any false representation is] [made in such application the said treasurer may refuse the license] Upon receipt of the application the treasurer of any city or borough the council of the town or board of commissioners or board of supervisors of the township may in his or their discretion make or cause to be made an examination audit or investigation of the applicant and all of the facts contained in the application and inventory in relation to the proposed sale. A license shall be denied or refused if any defect appears in the title to the goods or wares represented or any false representation is made in the application or inventory or if the inventory contains goods wares or merchandise purchased by the applicant on consignment except if the goods wares or merchandise has been damaged while in the consignee's possession.

Application for a license except a license for sale of goods damaged by fire within one year of a previous sale for the same type of business shall be presumptive evidence that the sale for which the license is sought is not bona fide and the license may be refused.

(b) Any applicant for a license who is aggrieved by the denial or refusal of a license may appeal within twenty days from the date of denial or refusal to the court of common pleas of the county in which the license is sought The appeal shall be upon petition of the applicant for a license who shall serve a copy thereof upon the city or borough treasurer the town council or the board of commissioners or board of supervisors of the township who or which has refused or denied the license The court shall hear the application for license de novo at such time as it shall fix of which notice shall be given to the city or borough treasurer the town council or the board of commissioners or board of supervisors of the township from whose refusal or denial of a license the appeal has been taken. The court shall either sustan the denial or refusal of the license or order the issuance of the license to the applicant.

Section 2 The act is amended by adding after section 2 four new sections to read.

Section 2.1 After a license has been granted and it is established that the license has violated any provisions of this act the license shall be revoked immediately.

Section 2.2 No merchandise shall become the subject of any license pursuant to this act if it has not been listed in the application for the license as goods wares or merchandise in stock or in transit.

Section 2.3 No merchandise shall become the subject of any sale licensed pursuant to this act if it has previously been the subject of such sale.

Section 2.4 Reopening of a business similar to the one for which the sale licensed pursuant to this act was conducted by the person partnership association or corporation who or which conducted the sale upon the same

premises upon which the business for which the sale was conducted within thirty days of the sale shall constitute presumptive evidence of a violation of this act. Every day in which business is conducted within the prohibited period of thirty days shall constitute a separate violation of this act.

Section 3 Section 3 of the act is amended to read

Section 3 It shall be the duty of each such licensee to post a copy of the said application and inventory in the sales room or place where the goods are to be sold so that the public may be informed of the facts in relation to the goods before purchasing the same.

Section 4 Section 4 of the act amended April 15, 1943 (P. L. 52) is amended to read.

Section 4 Any person conducting or being responsible for any sale as set forth in section one [hereof] as herein amended without first having obtained the license or any person making or being responsible for any misrepresentation in connection with the goods so offered for sale or sold or continuing the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than one hundred dollars ($100) or to imprisonment for a term of not exceeding thirty days. Each day any sale is conducted in violation of this section shall be a separate violation of this act. The right to appeal from such conviction shall exist as in other cases of summary convictions.

Section 5 Section 5 of the act is amended to read.

Section 5 Any license so granted as aforesaid shall be good for no more than a period of [ninety days and shall not be renewable] thirty consecutive calendar days (Sundays and legal holidays excluded) and may be renewed for two consecutive periods not exceeding thirty consecutive calendar days each (Sundays and legal holidays excluded) Provided That a revised inventory is filed with each application for renewal of a license showing the items listed on the original inventory remaining unsold and that no goods wares or merchadise not included in the original inventory is in stock [nor shall any other such license be granted to the same person within the same [city or borough] for a period of one year succeeding the expiration of a previous license] The treasurer of the city or borough or the council of the town or board of commissioners or board of supervisors of the township shall receive from the applicant for such license upon the granting thereof or the renewal thereof a license fee which shall be twenty-five dollars ($25).

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 794, Printer's No. 1001; House Bill No. 1105, Printer's No. 531; and House Bill No. 1572, Printer's No. 1044.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL RECOMMITTED

Mr. MAHANY. Mr. President, there seems to be some dispute relative to this bill as to the amount of mileage taken over by the Highway Department and the various streets involved. I understand that there will be an effort made by the Chairman of the Highways Committee to work out any uncertainties or differences which may exist in relation to this bill.

Therefore, Mr. President, I move that Senate Bill No. 382, on second reading, entitled:

An Act amending the act of May 7 1937 (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cites persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefore regulating the maintenance of detours autehorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" changing or deleting certain routes and adding certain new routes

be recommitted to the Committee on Highways.

Mr. WEINER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 535, entitled:

An Act prohibiting the imposition fo wage income or occupation taxes by cities of the first and second class second class A third class borough incorporated town or township on non-residents of the city borough incorporated town or township and abolishing such taxes heretofore imposed

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KOPRIVER, JR. Mr. President, when Senator Barr and I were debating this bill, it was agreed that all these amendments he put in were about as clear as mud. In order to straighen the bill out, I am going to offer amendments at this time.

Mr. KOPRIVER, JR. offered the following amendments:

Amend Sec. 1, page 2, line 5, by striking out "A" and inserting in lieu thereof: "the"; Amend Sec. 1, page 2, line 6, by inserting after "Township" "imposing the tax"; Amend Sec. 1, page 2, line 13, by inserting after "Township" "imposing the tax".

On the question,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I think Senator Kopriver said that after I amended the bill, it was as clear as mud. I think that the bill is worth about that much and I ask my colleagues to oppose these amendments, although I know that the Republicans have the majority and the amendments will be adopted.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. I ask for a roll call, Mrs. President.

Mr. LANE. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. BARR and Mr. LANE, and were as follows, viz:

YEAS—20

Berger,	Fleming,	Mahany,	Taylor,
Blass,	Harney,	Mallery,	Van Sant,
Chapman,	Kessler,	Pechan,	Watkins,
Diehm,	Kopriver, Jr.,	Propert,	Watson,
Flack,	Madigan.	Stevenson.	Wolfe,

NAYS—13

Barr,	Holland,	McMenamin,	Stiefel,
Camiel,	Lane,	Miller,	Weiner,
Derk,	McGinnis,	Seyler,	Yosko.
Hays,			

So the question was determined in the affirmative.

The section was agreed to as amended.

The second and third sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KOPRIVER, JR. offered the following amendments:

Amend Title, page 1, next to last line of Title, by inserting after "TOWNSHIP": "imposing the tax".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 535, Printer's No. 304, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

MOTION TO RE-REFER BILL

Mr. MAHANY. Mr. President, I move that Senate Bill No. 539, on second reading, entitled:

An Act relinquishing Commonwealth rights in property in control of the Trustees of the University of Pennsylvania.

be re-referred to the Committee on Forests and Waters, Game and Fish.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, while this re-referral to the Committee on Forests and Waters, Game and Fish, is promising of a very fair deal for the bill, I want to point out that the bill has the stamp of approval of none other than Senator Graybill Diehm, of Lancaster. That means that the bill has substance and there is something to it.

I fail to understand why it is being sent back to committee. I think it is one of those things that we call legal powers, res ipso loquitur. It speaks for itself.

MOTION TO RE-REFER AMENDED TO MOTION THAT BILL BE RECOMMITTED

Mr. MAHANY. Mr. President, I inadvertently made my motion to re-refer this bill to the Committee on Forests and Waters, Game and Fish, because it was running through my mind that most all of Senator Stiefel's bills are referred to that committee. I though, perhaps, this one had been. I know now that it was not. It had been referred to the Committee on State Government.

Therefore, Mr. President, I wish to amend my motion, and move that Senate Bill No. 539, Printer's No. 303, be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. STIEFEL. Mr. President, may I ask Senator Mahany whether it is possible to divulge for what purpose this bill is being recommitted?

Senator Mahany, is this bill being sent back to the Committee on State Government for the purpose of further study, evaluation and research or for the purpose of strangulation?

Mr. MAHANY. Senator Stiefel, I am going to give you and Senator Diehm the benefit of the doubt. I am going to say that this bill is being recommitted for further study.

There is some contention that although these liens are not enforced by the Commonwealth against the university, and we do have liens against other universities and schools to which we give State aid, it enables the Commonwealth to have some control over the money that we appropriate to these various institutions. I would like to have the committee interview those who have that contention and try to work it out. By preserving these liens, it enables the Commonwealth to have control over appropriations. I think we should not now discharge the liens, but should keep them in force even though we do

not enfroce them.

Mr. STIEFEL. Mr. President, I do not want to prolong the debate, but to me it sounds inconceivable that the great Commonwealth of Pennsylvania should hold something of this nature over the heads of the universities. These bills date to the beginning of the century. I wish the same laws were being enforced now. At that time, the Commonwealth was appropriating money not only for the maintenance of the schools, but also for building purposes. Thus, thees liens, which I enumerated in the bill, are dealing with the appropriations which were passed at the turn of the century for the purpose of building and not for the purpose of maintenance. Why keep such liens on the books? Some day, if you would be asked to say what is the total value of the Commonwealth of Pennsylvania, we would have an inflated value. We have liens and we do not collect them or do anything about them, yet they are on the books. As a matter of fact, even the Auditor General failed to comply with our resolution to send in the number of liens. I had to do my own research work on it.

I trust, Mr. President, that Senator Diehm, in his fairness and in his meticulous approach to the problem, will see fit to send this bill back to the floor.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. LANE. Senator Mahany, since it seems to be the attitude of the Majority Party to recommit Senate Bill No. 539, Printer's No. 303, do you plan on taking the same action on Senate Bill No. 540, Printer's No. 302?

Mr. MAHANY. I do, Senator Lane.

Mr. LANE. I might say, Senator Mahany, that quite some time ago I was sent considerable information in regard to the liens which the Commonwealth has against these two universities and, frankly, I have not had the time to go over it at all. I just scanned it at length one day. I would like to have the opportunity of going over it. Probably there is some merit to your argument. There seems to be some merit to Senator Stiefel's argument, too.

I wonder, since we are going to recess, whether we could carry these over in order and when we return, I guarantee you I will go over my material. I think it is very important. A law firm in Philadelphia sent me this material some time ago and I am the one who is lax about it. I would appreciate, therefore, if these bills could go over in order, or put them on the Second Reading Postponed Calendar, until we come back. Then, if it is your wish, we will recommit them after I have reviewed the material which I have.

Mr. STIEFEL. Mr. President, when we return after the recess, we will have plenty on our hands. I am not a member of the Committee on State Government and I must come here and plead for permission to present my views and you are gracious enough to listen to them. However, why must we do so much work. I suggest that they be placed on the Postponed Calendar, and then we shall see how the thing will crystallize. I admit that in the case of the University of Pennsylvania, there is an amount running into hundreds of thousands of dollars. However, in the case of Temple University, in Senate Bill No. 540, there is a picayune sum of about $20,000, which the great Commonwealth of Pennsylvania does not want to relinquish.

Therefore, Senator Mahany, I beg of you to put these bills on the Postponed Calendar.

Mr. MAHANY. Mr. President, there is so much harmony around this Chamber today that you could cut it with a knife. I would not want to be the one to interrupt such a love feast. I will be happy to withdraw my motion.

MOTION THAT BILL BE RECOMMITTED WITHDRAWN

Mr. MAHANY. Mr. President, I withdraw my motion to recommit Senate Bill No. 539 to the Committee on State Government.

Mr. TAYLOR. Mr. President, I withdraw my second to the motion.

BILLS POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 539, on second reading, be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 540, on second reading, entitled:

An Act relinquishing Commonwealth rights in property in control of the Trustees of Temple University

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 584, Printer's No. 301, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 746, Printer's No. 275, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Common-

wealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for annual salaries for county commissioners and controllers for services as officers of the institution district.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendments:

Amend Sec. 1 (Sec. 303), page 2, line 5, by striking out "and" and inserting in lieu thereof: "the";

Amend Sec. 1 (Sec. 303), page 3, line 1, by inserting after "ler": "in second class counties shall receive an additional annual salary of two thousand five hundred dollars ($2,500) and."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. BARR offered the following amendments:

Amend Title, page 2, third from last line of Title, by inserting after "commissioners": "in all counties"; Amend Title, page 2, next to last line of Title, by inserting after "and": "the"; Amend Title, page 2, next to last line of Title, by inserting after "controllers": "in counties of the second class."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

PERSONAL PRIVILEGE

Mr. LANE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Washington, Mr. Lane, will state his question of personal privilege.

Mr. LANE. Mr. President, it is my understanding that the amendments which have been inserted in House Bill No. 954, Printer's No. 1037, provide for an increase in salaries for county commissioners which will include my county of Washington.

Due to the fact that I hold the position of County Commissioner from Washington County, I want the record to show that I did not vote for these amendments and that I voted present.

PERSONAL PRIVILEGE

Mr. DIEHM. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Lancaster, Mr. Diehm, will state his question of personal privilege.

Mr. DIEHM. Mr. President, relative to House Bill No. 954, Printer's No. 1037, I would like the record to show that my position on this bill is the same as that just set forth by the gentleman from Washington, Senator Lane.

FIRST READING CALENDAR

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 735, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" permitting licensed importers to import purchase sell and store liquor and alcohol in the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading..

SENATE RESOLUTION REFERRED TO COMMITTEE

REQUESTING THE DEPARTMENT OF PUBLIC INSTRUCTION TO MAKE A STUDY AND RECOMMENDATIONS REGARDING VARIOUS PLANS OF ALL SCHOOL BUILDINGS BUILT WITHIN THE PAST FEW YEARS

Mr. MAHANY. Mr. President I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY, on behalf of Mr. WHALLEY, offered the following resolution which was twice read and referred to the Committee on Education:

In the Senate, October 11, 1955

The General Assembly is currently considering legislation increasing the total amount of reimbursable costs for the construction of public school buildings from $425,000,000 to $925,000,000.

It is of prime importance to the Commonwealth that school buildings be built as economically as possible consistent with efficiency and practicability.

In many instances certain phases of school construction do not always meet with the best requirements of the school districts. School officials and architects can well profit by the experience of the past. It becomes mandatory that information be collated and disseminated with respect to school building in view of the fact that the Legislature may increase the amount of reimbursable costs by $500,000,000.

Better schools would be built and in some instances at a great saving, if the information were made available to school districts and architects. This information may be best obtained by the Department of Public Instruction through the School Plant Division; therefore be it

Resolved, That the Department of Public Instruction:

(1) Study the various plans of all school buildings built within the past few years.

(2) Send questionnaires to all architects and school districts involved in school building construction designed to elicit information with respect to the relative efficiency and operating costs of one-story and two-story buildings, construction of gymnasiums and auditoriums, together with ideas on how they could be utilized in connection with other school programs, costs and efficiency of heating systems, time loss due to the moving of pupils from one room to another, the number, dimensions and types of entrances and windows as well as the dimensions of classrooms, unforeseen defects, general and specific maintenance costs and, in the light of their experiences, suggested changes in plans and specifications which would result in better school buildings.

(c) Collate the information, make a study thereof, and

make it, together with recommendations, available to the General Assembly and to school districts erecting school buildings.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MADIGAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 173, entitled:

An Act providing for the establishment of police pension funds or pension annunities in boroughs towns and townships and the regulation and maintenance thereof providing for continuance of existing funds or transfer thereof to funds herein established prescribing rights of beneficiaries and repealing certain acts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 729, entitled:

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, October 12, 1955, at 12:01 o'clock a.m., Eastern Standard Time.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:08 o'clock, p.m., Eastern Standard Time, until Wednesday, October 12, 1955, at 12:01 o'clock, a.m., Eastern Standard Time.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., WEDNESDAY, OCTOBER 12, 1955. No. 100.

SENATE

WEDNESDAY, October 12, 1955.

The Senate met at 12:0- o'clock, a|m|(Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

In the absence of the Chaplain, the following prayer was offered by the gentleman from Lancaster, Mr. KESSLER:

O Lord. we know that we can live but one day at a time. Therefore, help us not to worry about tomorow. As we start this new day, grant that whoever has to do with us may be happier for it.

Give us, O Lord, a quick eye for little kindnesses, that we may be ready in doing them and gracious in receiving them. Grant us the wisdom and forbearance to live happily, one with the other, and to do Thy will as we see it to do. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, The Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. PROPERT, further reading was dispensed with, and the Journal was approved.

PERMISSION GRANTED TO CONSIDER CALENDAR

Mr. MAHANY asked and obtained unanimous consent for the consideration of today's Calendar, out of order.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 785, as follows:

An Act making appropriations to the Department of Public Instruction for reimbursements to school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred twenty-one million eight hundred forty thousand dollars ($421,840,000) or as much thereof as is necessary is appropriated to the Department of Public Instruction for reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for nonresident high school tuition and any other nonresident tuition as required by law and for the minimum salaies of teachers and supervisors of home bound children and extension class pupils Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he deems it necessary to make such advanced payments to enable school districts to keep their public schools open

Section 2 an additional sum of thirty-one million dollars ($31,000,000) or as much thereof as is necessary is appropriated to the Department of Public Instruction to be used for reimburing school districts upon salaries of school teachers if and when Legislation is enacted in the 1955 session of the General Assembly increasing the annual compensation of school teachers.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HAYS. Mr. President, two legislative and one calendar day ago, I started to make a brief statement on the subject matter of this bill and had the rug pulled from under me by a motion to adjourn — a motion, incidentally, in which I concurred. I think that, in fairness to my colleagues, I should now make a statement and in mercy for them, I should make it brief.

Mr. President, I am very happy about the unanimous response of my forty-eight colleagues to this problem of carrying out a section of the Constitution of the Commonwealth which reads, "The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public schools." I believe over two million of our citizens, disenfranchised by age, are grateful to you for this step which more nearly brings our support of public education in line with the wealth of this Commonwealth. The understanding and patience of the Majority and Minority Leaders, and the members of the Appropriations Committee, in these last few days of some tension is a matter for which I, as a novice Senator, desire to expess my personal appreciation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,

Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 794, Printer's No. 1001, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate poceeded to the third reading and consideration of House Bill No. 954, entitled:

An Act amending the act of June 24 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them poviding for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" poviding for annual salaries for county commissioners in all counties and the controller in counties of the second class for services as officers of the institution district

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2 line 12 of tilte, by striking out "in all counties"; Amend Section 1 (Sec. 303) page 3, line 1, by inserting after "and"; "each commissioner and"; Amend Sec. 1. (Sec 303) page 3, line 6, by striking out the backet before the word "of"; Amend Sec. 1 (Sec. 303) page 3, line 10 by striking out the bracket after the word "in" where it appears the second time in said line; Amend Sec. 1 (Sec 303) page 3, lines 10 to 20, by striking out the words "shall receive" in line 10, all of lines 11 to 19 inclusive and the words "dred dollars ($500)" in line 20.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go ove in their order:

House Bill No. 1105, Printer's No. 531; and

House Bill No. 1572, Printer's No. 1044.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 173, Printer's No. 1046;

Senate Bill No. 535, Printer's No. 307;

Senate Bill No. 584, Printer's No. 301; and

Senate Bill No. 729, Printer's No. 305.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 735, entitled:

An Act amending the act of April 12 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the law relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfetures providing for local option and repealing existing laws" permitting licensed importers to import purchase sell and store liquor and alcohol in the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 746, Printer's No. 275, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Friday, October 14, 1955, at 9:00 o'clock, a.m., Eastern Standard Time.

Mr. MADIGAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:31 o'clock, a.m., Eastern Standard Time, until Friday, October 14 1955, at 9:00 o'clock a.m., Eastern Standard Time.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., THURSDAY, OCTOBER 13, 1955. No. 101.

HOUSE OF REPRESENTATIVES

THURSDAY, October 13, 1955

The House met at 12:00 noon EST
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

Rabbi Moses N. Freidman, York, guest Chaplain, offered the following prayer:

Heavenly Father, on the advent of the 464th year of the discovery of our continent, we pause to give thought to Thy wondrous deeds that can be perceived by the human mind within the finite realm of his vision and comprehension.

In Thy abundant goodness, O Lord, Thou hast inspired men to search for newer means to facilitate the tasks of our transitory life on earth and seek new opportunities in distant lands. By Thy grace, O Ruler of the world, the explorers of old, who ventured to look for new roads, discovered a continent destined to become a haven of refuge for the oppressed and a home of the free.

O Thou, Who hast opened their road through the sea and their path amid the mighty waters of the ocean, chart for us the road, we pray Thee, to reach safely the goals of our endeavors and the ends for which we strive. Cause Thy beacon of wisdom to illuminate the way that leads to the solution of our problems. Inculcate into our minds the sedulity necessary to effect the success of our designs when they be in consonance with Thy will, and keep us humble and agree when those of others manifest more worthy and nobler intentions.

Bless, we beseech Thee, the honorable Speaker and Members of this House with sagacity in legislation; and cause harmony to be the keynote of their deliberations, attainment of beneficial objectives—their purposes, and the fruition of their endeavors—our Commonwealth's welfare and their personal success. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, October 6, 1955, will be postponed until printed. The Chair hears none.

BILL INTRODUCED AND REFERRED

By Mr. POLEN. HOUSE BILL No. 1834.

An Act making an appropriation to the House of Representatives of the General Assembly for the payment of mileage of members and incidental expenses for the balance of the legislative session of 1955.

Referred to the Committee on Appropriations.

COMPLIANCE WITH PENNSYLVANIA LOYALTY ACT

The SPEAKER announced the acknowledgment of copies of report to the Governor of the Commonwealth filed in compliance with Section 13 of the Pennsylvania Loyalty Act of December 22, 1951 (P. L. 1726), on behalf of the following institutions:

Sister M. Borgia, Administrator
Spencer Hospital
Meadville, Pennsylvania

George F. Hellick, Jr., President
Easton Hospital
Easton, Pennsylvania

B. F. Carr, Superintendent
The Altoona Hospital
Altoona, Pennsylvania

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 262.

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retaind by such fiduciaries," authorizing fiduciaries to invest in bonds, notes or other obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 262.

An Act amending the act of May 26 1949 (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made

and retained by such fiduciaries" authorizing fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and and entitled as follows:

HOUSE BILL No. 172.

An Act amending the act of June three one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" requiring the Pennsylvania Game Commission to pay unrecovered costs of suit

HOUSE BILL No. 459.

An Act prohibiting operation of boats having a manufacturer's horsepower rating in excess of seven and one-half on Quaker Lake in Susquehanna County

HOUSE BILL No. 656.

An Act amending the act of May 4 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" increasing the maximum compensation payable to councilmen in boroughs whose population is more than five thousand

HOUSE BILL No. 680.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 84.69 acres more or less of land situate in Butler Township Adams County

HOUSE BILL No. 682.

An Act amending the act of June 25 1947 (P. L. 928) entitled " An act relating to the annual salaries and compensation of certain county officers of the sixth class" changing salaries of district attorneys in counties of the sixth class

HOUSE BILL No. 925.

An Act amending the act of July 29 1953 (P. L. 1050) entitled "An act providing for the acquisition construction improvement operation and maintenance of tunnels for certain highway purposes within the Commonwealth authorizing the issuance of tunnel revenue bonds free from taxation and payable solely from tunnel earnings to pay the cost of such tunnels and improvements thereof providing for the collection of tunnel tolls for the payment of such bonds and for the cost of maintenance operation and repair of the tunnels constituting such bonds legal investments in certain instances prescribing conditions upon which such tunnels shall become free tunnels conferring powers and imposing duties on the Pennsylvania Tunnel Commission created hereby providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act and providing for condemnation" changing the method of procedure by the commission authorizing the Department of Highways to acquire land and interests therein for the commission and to grant the right to use the same and validating prior grants

HOUSE BILL No. 1050.

An Act fixing the salary of the clerk of the court of oyer and terminer quarter sessions of the peace and of the municipal court and the first and second deputies in Philadelphia and repealing certain legislation

HOUSE BILL No. 1173.

An Act amending the act of June 23 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting contributors to the police pension fund to withdraw their increment contributions under certain circumstances

HOUSE BILL No. 1333.

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1132), entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor; fixing their salaries and qualifications; providing for the purchase of trucks and necessary equipment to carry on the work; and making an appropriation therefor," by further regulating the salary of the first aid and mine rescue instructors.

HOUSE BILL No. 1338.

An Act to further amend the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by regulating the salary of electrical inspectors

HOUSE BILL No. 1363.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey fifteen acres of land in East Norriton Township Montgomery County

HOUSE BILL No. 1425.

An Act amending the act of July 15 1897 (P. L. 287) entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth and to provide for the examination of persons seeking employment as miners in the anthracite region and to prevent the employment of incompetent persons as miners in anthracite coal mines and providing penalties for a violation of the same, establishing Miners Examining Boards in certain counties decreasing the number of miners on each board and changing the method of their appointment increasing the compensation of board members changing certain powers of the boards and members thereof and increasing examination fees

HOUSE BILL No. 1426.

An Act amending the act of June 2 1891 (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite mines of Pennsylvania and for the protection and preservation of property connected therewith" increasing the compensation of members of the examining boards

HOUSE BILL No. 1503.

An Act amending the act of May 28 1913 (P. L. 367) entitled "An act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum thereof" removing the limitation on the maximum salary which may be paid to directors or heads of departmens in cities of the second class

HOUSE BILL No. 1511.

An Act relating to reciprocal agreements for the interstate transportation and support of the mentally ill.

HOUSE BILL No. 1534.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to accept a tract of land and buildings thereon erected in the Borough of California Washington County Pennsylvania containing 25.609 acres for the use of California State Teachers College

HOUSE BILL No. 1548.

An Act amending the act of May 31 1923 (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foreman assistant mine foreman and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Cheif of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" increasing compensation of board members and of the committee of six

HOUSE BILL No. 1549.

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the per diem compensation and mileage rate of the members and secretary of the Anthracite Mine Inspectors' Examining Board

HOUSE BILL No. 1550.

An Act amending the act of April 29 1937 (P. L. 551) entitled "An act prohibiting the employment of miners as herein defined in the bituminous coal mines unless certificated by a miners' examining board providing for the appointment of such boards and defining their powers and duties providing penalties and making an appropriation" increasing per diem compensation of members of miners' examining boards

HOUSE BILL No. 1551.

An Act amending the act of April 9 1929 (P. L. 177) entitled An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the per diem compensation and mileage rate of members and secretary of the Bituminous Mine Inspectors' Examining Board

HOUSE BILL No. 1555.

An Act to amend an act, approved the twenty-second day of August, one thousand nine hundred fifty-three (Appropriation Acts, page 54), entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-three, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-three," by changing the amount appropriated to the Department of Public Instruction.

HOUSE BILL No. 1676.

An Act authorizing townships of the first class in certain cases to convey to a volunteer fire company or association the townships' interests in real property upon approval of the court of common pleas of the county

HOUSE BILL 1724.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," changing the method of computing pensions, and providing a method of paying service increments from the pension fund to employes of the bureau of fire after retirement.

With the information that the Senate has passed the same without amendment.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Approval OF HOUSE BILLS Nos. 699, 973, 1078, 1435, 1522, 1523, 1524, and 1799.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 7, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 699, Printer's No. 524, entitled "An Act amending the act of June 24, 1937 (P. L. 2045) entitled as amended 'An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of certain persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure' relieving children of liability for support of parents deserting them during minority."

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 6, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 973, Printer's No. 265, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' prohibiting certain sales of Salk polio vaccine."

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 7, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1078, Printer's No. 858, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' authorizing the use of school buildings as meeting places for governmental and quasi-governmental bodies agencies and authorities created by law."

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 7, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1435, Printer's No. 399, entitled "An Act amending the act of June 1, 1945 (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto' further regulating streets in cities of the second class and the powers duties and obligations of such cities and the Commonwealth with regard thereto."

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 7, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1522, Printer's No. 790, entitled "An Act amending the act of July 8 1941 (P. L. 298) entitled 'An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties' changing the definition of 'Average salary' the membership of the board and the options allowed upon retirement regulating the manner of paying out the retirement fund making provisions in certain cases retroactive for contributors who are qualified for but die before retirement and providing for voluntary retirement after twenty-five years service."

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 7, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1523, Printer's No. 791, entitled "An Act amending the act of August 5, 1941 (P. L. 803) entitled as amended 'An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties' changing the definition of 'Final Salary' the membership of the board and its method of accounting and making payments out of the retirement fund and the options allowed upon retirement authorizing the board to permit transfers to the one-eightieth (1/80) class of contribution and adjustment of county annuities allowing credit for prior service for certain per diem employes making provisions in certain cases retroactive for contributors who are qualified for but die before retirement authorizing the establishment of a minimum retirement allowance and providing for the reinstatement of contributors returning from military service."

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 7, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1524, Printer's No. 792, entitled "An Act amending the act of June 4 1937, (P. L. 1625) entitled 'An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties' changing the definition of 'final salary' the membership of the board the manner of paying out of the retirement fund and the options allowed upon retirement authorizing the board to permit transfers to the one-eightieth (1/80) class of contributors and adjusting the county annuities allowing employes credit in certain cases for prior service making provisions in certain cases retroactive for contributors who are qualified for but die before retirement."

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 8, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1799, Printer's No 965, entitled "An Act making an appropriation to the Senate and House of Representatives for contingent expenses for the balance of the legislative session of 1955."

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 172.

An Act amending the act of June three one thousand nine hundred thirty-seven (P. L. 1225) entitled " An act concerning game and other wild birds and animals and amending revising consolidating and changing the law relating thereto" requiring the Pennsylvania Game Commission to pay unrecovered costs of suit

HOUSE BILL No. 459.

An Act prohibiting operation of boats having a manufacturer's horsepower rating in excess of seven and one-half on Quaker Lake in Susquehanna County

HOUSE BILL No. 656.

An Act amending the act of May 4, 1927 'P. L. 519) entitled " An act concering boroughs and revising amending and consolidating the law relating to boroughs" increasing the maximum compensation payable to councilmen in boroughs whose population is more than five thousand

HOUSE BILL No. 680.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 84.69 acres more or less of land situate in Butler Township Adams County

HOUSE BILL No. 682.

An Act amending the act of June 25, 1947 (P. L. 928) entitled " An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" changing salaries of district attorneys in counties of the sixth class

HOUSE BILL No. 925.

An Act amending the act of July 29, 1953 (P. L. 1050) entitled "An act providing for the acquistion construction improvement operation and maintenance of tunnels for certain highway purposes within the Commonwealth authorizing the issuance of tunnel revenue bonds free from taxation and payable solely from tunnel earnings to pay the cost of such tunnels and improvements thereof providing for the collection of tunnel tolls for the payment of such bonds and for the cost of maintenance operation and repair of the tunnels constituting such bonds legal investments in certain instances prescribing conditions upon which such tunnels shall become free tunnels conferring powers and imposing duties on the Pennsylvania Tunnel Commission created hereby providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act and providing for condemnation" changing the method of procedure by the commission authorizing the Department of Highways to acquire land and interests therein for the commission and to grant the right to use same and validating prior grants

HOUSE BILL No. 1050.

An Act fiixing the salary of the clerk of the court of oyer and terminer quarter sessions of the peace and of the municipal courts and the first and second deputies in Philadelphia and repealing certain legislation.

HOUSE BILL No. 1173.

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting contributors to the police pension fund to withdraw their increment contributions under certain circumstances.

HOUSE BILL No. 1333.

An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor" by further regulating the salary of the first aid and mine rescue instructors.

HOUSE BILL No. 1338.

An Act to further amend the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 189) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by regulating the salary of electrical inspectors.

HOUSE BILL No. 1363.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey fifteen acres of land in East Norriton Township Montgomery County.

HOUSE BILL No. 1425.

An Act amending the act of July 15, 1897 (P. L. 287) entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth and to provide for the examination of persons seeking employment as miners in the anthracite region and to prevent the employment of incompetent persons as miners in anthracite coal mines and providing penalties for a violation of the same" establishing Miners Examining Boards in certain counties decreasing the number of miners on each board and changing the method of their appointment increasing the compensation of board members changing certain powers of the boards and members thereof and increasing examination fees.

HOUSE BILL No. 1426.

An Act amending the act of June 2, 1891 (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" increasing the compensation of members of the examining boards

HOUSE BILL No. 1503.

An Act amending the act of May 28, 1913 (P. L. 367) entitled "An act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum thereof" removing the limitation on the maximum salary which may be paid to directors or heads of departments in cities of the second class.

HOUSE BILL No. 1511.

An Act relating to reciprocal agreements for the interstate transportation and support of the mentally ill.

HOUSE BILL No. 1534.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to accept a tract of land and buildings thereon erected in the

Borough of California Washington County Pennsylvania containing 25.609 acres for the use of the California State Teachers' College.

HOUSE BILL No. 1548.

An Act amending the act of May 31, 1923 (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" increasing compensation of board members and of the committee of six.

HOUSE BILL No. 1549.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the per diem compensation and mileage rate of the members and secretary of the Anthracite Mine Inspectors' Examining Board.

HOUSE BILL No. 1550.

An Act amending the act of April 29, 1937 (P. L. 551) entitled "An act prohibiting the employment of miners as herein defined in the bituminous coal mines unless certificated by a miners' examining board providing for the appointment of such boards and defining their powers and duties providing penalties and making an appropriation" increasing per diem compensation of members of miners' examining boards.

HOUSE BILL No. 1551.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the per diem compensation and mileage rate of members and secretary of the Bituminous Mine Inspectors' Examining Board.

HOUSE BILL No. 1555.

An Act to amend an act approved the twenty-second day of August one thousand nine hundred fifty-three (Appropriation Acts page 54) entitled "An act to provide for the ordinary expense of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three" by changing the amount appropriated to the Department of Public Instruction.

HOUSE BILL No. 1676.

An Act authorizing townships of the first class in certain cases to convey to a volunteer fire company or association the townships' interests in real property upon approval of the court of common please of the county.

HOUSE BILL No. 1724.

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" changing the method of computing pensions and providing a method of paying service increments from the pension fund to employes of the bureau of fire after retirement.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SHADE HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Shade High School of Somerset County who are here under the supervision of their teachers Mr. Brubaker and Miss Mauer. They are the guests of the gentlemen from Somerset, Mr. Naugle and Mr. Stephens.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MIHM asked and obgtained permission for the Committee on Cities—Counties—Second and Second Class A to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent for the following letter to be entered upon the Legislative Journal and that it be read by the Clerk for the information of the Members of this House.

THE WHITE HOUSE
WASHINGTON

DENVER
October 6, 1955

Dear Mr. Worley,

It was good of you to write such a kind message to the President telling him of your concern for his health. He was deeply touched to know of the Resolution of the House of Representatives of Harrisburg, Pennsylvania, for his early recovery. To be remembered by our friends and neighbors in these anxious days means a great deal to the President and myself.

"Mamie Doud Eisenhower"

The Honorably Francis Worley
R. D. No. 1
York Springs, Pa.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 785.

An Act making appropriations to the Department of Public Instruction for reimbursements to school districts.

Referred to the Committee on Appropriations.

RECESS

The SPEAKER. If there are no objections the Chair declares a recess until two o'clock, Standard Time, for the purpose of holding a Democratic and a Republican caucus.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILL INTRODUCED AND REFERRED

By Messrs. ANDREWS and READINGER.

HOUSE BILL No. 1835.

An Act to provide revenue for Comonwealth purposes by imposing an excise tax on the Federal income tax liability of natural persons who are residents of the Commonwealth and of estates and trusts; fixing the rates of tax thereon; providing for the reporting and payment of tax, interest and penalties and installments of estimated tax, collection of tax at the source, assessments, collections, liens, reviews, appeals, refunds and penalties; and conferring powers and imposing duties upon the Department of Revenue.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 284.

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating the State Board of Chiropody Examiners as a departmental administrative board in the Department of Public Instruction.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 285.

An Act relating to the practice of chiropody conferring powers and imposing duties on the State Board of Chiropody Examiners and the Department of Public Instruction and providing penalties.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 541.

An Act amending the act of March 31 1949 (P. L. 372) entitled "An act to promote the welfare of the people of the Comonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" authorizing the sale transfer and conveyance of property or interest therein.

Referred to the Committee on Rules.

SENATE BILL No. 574.

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire by gift the Old Brown's Mill building and project in Antrim Township Franklin County and providing for its maintenance and control.

Referred to the Committee on State Government.

SENATE BILL No. 608.

An Act amending the act of May 2 1925 (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the use of long bows and arrows for capturing or killing carp.

Referred to the Committee on Fisheries.

SENATE BILL No. 633.

An Act repealing the last paragraph of section 5 act May 23 1874 (P. L. 230) entitled "An act dividing the cities of this state into three classes regulating the passage of ordinances providing for contracts for supplies

and work of said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" which requires publication each year of a statement of all delinquent taxpayers in cities of the first class.

Referred to the Committee on Cities—Counties First Class.

SENATE BILL No. 661.

An Act amending the act of May 21 1943 (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" increasing the compensation of assessors.

Referred to the Committee on Rules.

SENATE BILL No. 716.

An Act amending the act of May 29, 1931 (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

Referred to the Committee on Counties.

SENATE BILL No. 721.

An Act authorizing and directing the Department of Highways to accept a bridge across Redbank Creek and the approaches thereto connecting the State highway system in Armstrong County with the State highway system in Clarion County.

Referred to the Committee on Highways.

SENATE BILL No. 730.

An Act amending the act of July 7, 1947 (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" providing for the use of United States certified mail service in lieu of United States registered mail when required by the act for the purpose of giving of notice.

Referred to the Committee on Counties.

SENATE BILL No. 757.

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" defining the effect of requirement that real property transfer taxes be paid by the transferor on preexisting ordinances and resolutions and validating such ordinances and resolutions.

Referred to the Committee on Rules.

SENATE BILL No. 758.

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the courts of quarter sessions and to the Supreme Court and Superior Court" authorizing taxing authorities to impose real property transfer taxes on either the transfer or on the transferee.

Referred to the Committee on Rules.

SENATE BILL No. 773.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding fo animals upon the

highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" prohibiting the operation of motor vehicles the mufflers of which have internal parts removed.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 776.

An Act amending the act of May 16, 1921 (P. L. 579) entitled as amended "An act providing for the better management of the jails or County prisons in the several counties of this Commonwealth of the third fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" giving wardens deputies and other appointees of the board powers of peace officers.

Referred to the Committee on Counties.

SENATE BILL No. 780.

An Act amending the act of July 2, 1937 (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of licensee fees for permission to conduct the same" making the provisions of the act effective in municipalities and townships further regulating statements of inventories further regulating the issuance renewal denial and refusal of licenses and the conduct of sales designating certain actions as violations of the act authorizing appeals from refusal or denial to issue licenses.

Referred to the Committee on Judiciary.

SENATE MESSAGE

RESOLUTIONS FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

SENATE SERIAL No. 151.

In the Senate, September 27, 1955.

The name of Pennsylvania was given to the colony of William Penn and inherited by the Commonwealth because of the verdant forests that once covered its territory But indifference or lack of foresight to the future weal in years past rapidly denuded Pennsylvania's hillsides of its trees; and carelessness and indifference to the value of second growths permitted repeated fires to ravage the cut-over area and to scorch the earth into a state of ugliness and unproductivity, robbing the land of its protecting forest growth.

A bleak and uninviting example of this catastrophe was what is now the Bald Eagle State Forest in Union County when Raymond B. Winter was sent there as a forester in 1910. The area was a charred wilderness of dead brush, stumps and a mud hole formerly a saw mill dam.

During his forty-five years of service there. Mr. Winter transformed the area into one of Pennsylvania's outstanding beauty spots. With far-sighted planning and tireless efforts he undertook the task of rehabilitation. His early days in the area were devoted to fire control and prevention, tree planting, road and trail building and gradually a little recreational work for the local people, which later, with the help of the Civilian Conservation Corps during the early thirties and later improvements developed into a State Forest park of four hundred acres with a concrete and stone masonry dam on the site of the former saw mill dam, presently known as the Half-Way State Forest Park. And today the Bald Eagle Forest is an established and thrifty forest.

That Bald Eagle is one of the finest and best preserved forest districts in the State today is due mainly to the diligent and conscientious work of Mr. Winter; therefore be it

Resolved (The House of Representatives concurring), That the recreational area in the Bald Eagle State Forest in Union County now known as Half-Way State Forest Park be renamed Raymond B. Winter State Forest Park in lasting tribute to his untiring work in conservation.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

SENATE SERIAL No. 154.

In the Senate, October 11, 1955.

The Commonwealth through its General State Authority is constructing an important flood control dam on the First Fork of the Sinnemahoning Creek in Grove Township, Cameron County, at a location originally selected by the United States Army Engineers. The dam when completed and put into operation at full capacity will form a lake of 1485 acres in area in Cameron and Potter Counties.

Because of his untiring efforts in securing effective flood control for the West Branch of the Susquehanna River and his active interest and assistance in furthering the construction of the First Fork Sinnemahoning Dam, it is fitting that the Honorable George B. Stevenson, Senator from the Twenty-sixth Senatorial District, be honored in connection therewith; therefore be it

Resolved, (the House of Representatives concurring) That the flood control dam on the First Fork of the Sinnemahoning Creek in Grove Township, Cameron County, be designated as the George B. Stevenson Dam; and be it further

Resolved, That the Department of Forests and Waters erect suitable tablets or markers on the dam to perpetuate this resolution.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Kooker for Mr. KELLER for the week because of illness.

Mr. Hass for Mr. LAWYER for the week because of illness.

Mrs. Henzel for Mr. KRATZ for today and tomorrow because of illness.

Mrs. Henzel for Mr. BRENNINGER for today and tomorrow because of urgent business.

Mr. Kolankiewicz for Mr. McKEEVER for the week because of illness.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. McGEE asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

Mr. ROBERT K. HAMILTON asked and obtained permission for the Committee on Insurance to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. FILO asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to bring to the attention of the Game Commission the way the doe licenses are handled in the state of Pennsylvania.

Being from Allegheny County, I have had numerous complaints of sportsmen who are unable to get doe licenses in various counties. I have instances where men have spent two days in a certain county trying to get a doe license. Also I have had men state to me that they sent registered letters to the treasurers of the various counties who have these doe licenses and they were returned unopened to the sender.

If I recall correctly, Mr. Speaker, when this type of legislation was passed, I believe in 1951, I happened to be the only Member to vote against it. I feel that every county should be open to all the portsmen of Pennsylvania.

It is my personal opinion that at the present time these counties give preference to the men who live in the particular county. Being from Allegheny County, where numerous hunters have nowhere to hunt in their own County, they are unable to obtain a doe license.

I feel there should be a revision of the doe license measure and I intend to introduce such revision.

PERMISSION TO ADDRESS HOUSE

Mr. GIBSON asked and obtained unanimous consent to address the House.

Mr. Speaker, in connection with the difficulty the gentleman from Allegheny is having regarding doe licenses, I would like to inform him that Warren County has 1,300 doe licenses available as of yesterday, if he would like to send some of his boys up there.

PERMISSION TO ADDRESS HOUSE

Mr. FRANK asked and obtained unaimous consent to address the House.

Mr. Speaker. I would like to call to the attention of the House the following and make a protest:

On September 3, 1955, an Act signed by the Gorvernor, passed the Senate and House, providing an increasing of 1 per cent tax on gasoline for a limited time, for reconstruction, repair of roads, streets, highways and bridges of subdivisions damaged or destroyed by the hurricane, flood or highwaters of August 19, 1955. This money was earmarked and to be used for the sole purpose of disaster relief. The Act became effective Septembr 13, 1955.

On or about September 13, 1955, ten days after the bill was effective, the large gasoline companies saw fit to place one-half cent, and in some cases one cent, on gasoline. I am not sure that this was effective throughout the State but do know it has been raised in the eastern part of Pennsylvania where the disaster hit very hard. I have checked and found that the little gasoline station owners are not getting any more discount than they did before.

I would like to know why advancing additional prices have been placed on the motorists. We know the reason why the Commonwealth of Pennsylvania had to do it. I would like to know why the big gasoline companies raise their prices—for what reason.

The fellow who gets a little pleasure out of having a car pays through the nose.

REPORTS FROM COMMITTEES

Mr. LUTTY from the Committee on Insurance, reported as amended, House Bill No. 1089, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," defining and providing for the establishment, maintenance and the amount of and use of unearned premium reserves, the release of unearned premiums, reserves for unpaid losses and loss expense and the investment of reserve funds.

Mr. PARRY from the Committee on Insurance, reported as amended, House Bill No. 1091, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for and regulating the investments of title insurance companies.

Mr. McLAUGHLIN from the Committee on Cities—Counties Second and Second Class A, reported as committed, House Bill No. 1580, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto", regulating employment of building policemen and building guards hereafter appointed.

Mr. GRANVILLE E. Jones from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 365, entitled:

An Act regulating the sale and possession of certain dangerous drugs in the interest of public health and imposing penalties.

Mr. FROST from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 475, entitled:

An Act amending the act of August 22, 1953 (P. L. 1344) entitled "An act relating to marriage and amending revising consolidating and changing the law relating thereto" further regulating the issuance of marriage licenses when applicants are infected with syphilis.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1221, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicaable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" limiting the period for approval of one-room one-teacher schools.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 375 as follows:

An Act authorizing judges in counties of the third class to fix the number and compensation of employes appointed by them

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In counties of the third class each of the several judges of the courts of common pleas quarter sessions and oyer and terminer and of the orphans' court shall determine the number and fix the compensation of court-criers tipstaves officers clerks stenographers and other court employes paid from the county treasury and who are appointed by any of the judges

Section 2 The act of August 9, 1955 (Act No. 130) known as "The County Code" and its amendments are hereby repealed in so far as inconsistent with the provisions of this act

Section 3 This act shall take effect immediately.

On the question,

Shall the bill pass finally?

Mr. LIPPINCOTT. Mr. Speaker, I desire to interrogate one of the sponsors of this bill.

The SPEAKER. Will the gentleman from Westmoreland, Mr. McWherter, consent to be interrogated?

Mr. McWHERTER. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, will the gentleman state who appoints the court criers, tipstaves, officers, clerks and stenographers in third class counties at the present time?

Mr. McWHERTER. Mr. Speaker, does the gentleman mean in relation to number?

Mr. LIPPINCOTT. Mr. Speaker, in relation to number and compensation.

Mr. McWHERTER. Mr. Speaker, in many cases the number is adequate, in other cases it is not. The same is true of compensation.

Mr. LIPPINCOTT. I belive the gentleman misunderstood my question, Mr. Speaker. I said, under the present law who appoints the employes and fixes their compensation?

Mr. McWHERTER. Mr. Speaker, they are appointed by the court, the compensation is regulated by the salary board.

Mr. LIPPINCOTT. Mr. Speaker, perhaps the gentleman is not familiar with the new County Code that was just passed. I believe under that the salary board determines the number and compensation. Is the gentleman familiar with that?

Mr. McWHERTER. That is my understanding of it, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, would not this bill give each judge the sole discretion to appoint the number of employes and fix the compensation of the employes as he sees fit?

Mr. McWHERTER. It would, Mr. Speaker. That is the purpose of the bill.

Mr. LIPPINCOTT. Mr. Speaker, is it not true in third class counties where there are perhaps four or five judges that each judge could have a different number of employes and fix the compensation as he saw fit for each employe?

Mr. McWHERTER. That is entirely true, Mr. Speaker. It rests entirely in the discretion of the judge or judges.

Mr. LIPPINCOTT. Mr. Speaker, it would be true, would it not, that one judge could have twelve tipstaves and another could have two if he saw fit?

Mr. McWHERTER. That would certainly be true, Mr. Speaker. I might add that it is also true in third class counties, as well as most of the other counties, that specific judges for various reasons carry different portions of the land.

Mr. LIPPINCOTT. Mr. Speaker, under this proposed amendment could not the number and compensation of employes appointed by the judges be changed during the county fiscal year?

Mr. McWHERTER. Yes, it could, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, could not this interfere with the tax rate of the counties as determined by the county commissioners in anticipation of the estimated requirements?

Mr. McWHERTER. Mr. Speaker, I shall answer that in this way. We in my own third class county are firmly convinced that our judges are good judges. They are reasonable men and are not interested in upsetting the tax structure.

Mr. LIPPINCOTT. Mr. Speaker, is this bill aimed at a particular local situation in the gentleman's county?

Mr. McWHERTER. Mr. Speaker, it so happens that we have a peculiar situation out there, although I am of the firm opinion that this ought to be general law. I feel this is a step in the right direction.

Mr. LIPPINCOTT. Mr. Speaker, the gentleman says he feels this should be general law, yet the code that is being amended covers all counties from the third to the eighth classes. The bill only amends the law concerning third class counties, is that correct?

Mr. McWHERTER. That is correct, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, why is the gentleman attempting to amend the law only in third class counties?

Mr. McWHERTER. Mr. Speaker, because I am primarily interested in third class counties. I originate from one.

Mr. LiPPINCOTT. Mr. Speaker, I ask all the Members to oppose this bill. It seems to me the bill will create considerable confusion in third class counties by permitting each judge to determine at his own discretion the number of employes. It will permit the court in effect to fix the county tax rate by increasing the number of employes so that the tax rate will have to be raised to cover it. It would completely eliminate the uniformity that we now have by having a salary board determine the employes of judges.

I ask for a slow roll call and request all Members vote against this bill.

Mr. McWHERTER. Mr. Speaker, this bill is designed to do exactly what it says in your brief on the calendar. It is intended to give judges of third class counties, that is, both orphan's and common pleas judges, the right to name the number and fix the salaries of their employes.

Our statutes confer a broad jurisdiction upon the courts of common pleas, they have the right to hear and determine all pleas, actions and suits, civil, personal and mixed. These statutes also give them the power to grant all writs and process necessary to exercise this jurisdiction.

Our common pleas judges also sit in the courts of quarter sessions and of oyer and terminer and in their respective capacities have jurisdiction to hear, determine and punish all crimes and offenses committed within the Commonwealth.

Our orphans' courts' have broad jurisdiction and powers over the person and property of minors, decedents' estates, and the accounts and conduct of persons and corporations in fiduciary capacities.

The jurisdiction, powers and duties of our courts are extremely broad and requires the exercise of a great amount of discretion on the part of the respective judges. The men and women who exercise these powers occupy a position of trust in relation to the people who elect them and who are affected by their decisions.

Ordinarily these judges are exceptional persons both in relation to their character and their abilities, and in every case where they are not exceptional they are answerable to the people who elect them. Unfortunately, however, in spite of the broad powers which our judges have, their exceptional characters and abilities, and the fact that they are answerable to the people who elect them, this Legislature has seen fit to prevent them from exercising exclusive jurisdiction in their own offices and court rooms.

It is the purpose of this bill to restore to the courts in third class counties sole jurisdiction and discretionary powers of their own offices and employes. Few men or women attain the high office of a judgeship without first having served a long apprenticeship as a practicing attorney. The result is that they are usually middle-aged or beyond by the time they assume that office.

The office itself, because of the many pressures and difficult decisions, is a man-killing job requiring long hours of research and competent and efficient employes who are able to contribute to and aid our courts in rendering the service for which they are elected.

Most of our courts do not have and are unable to secure the necessary help to enable them to properly and efficiently perform their duties. Our courts and present staffs are overworked, our court calendars are crowded and behind schedule, with the consequential loss of effective service to the people whom our courts serve.

The chief reason for this is the situation which brings about the setup called the salary board. It effectively ties the hands of our courts. It tends to place expert stenographers and reporters on the same level as substandard political clerks; it makes it impossible for our courts to hire additional help at times when the load becomes greatest; it prevents our courts from retaining experienced, competent and faithful employes; and it compels the entire machinery of our system of courts to move along at a snail's pace. All of this is to the injury and disservice of our citizens who are interested in and entitled to quick and efficient decisions on matters regarding their vested personal and property rights.

We elect our judges by popular vote, give them wide jurisdiction and discretionary powers, yet we effectively prevent them from running their own offices. It is rather ridiculous to place our properties, our freedoms and our very lives in the hands of our court and then to restrict them in selecting the machinery whereby our rights relating to those properties, freedoms and sometimes life itself may be justly and efficiently determined.

It is high time we restore the jurisdiction of our courts to their own offices and staffs. This bill, although limited to third class counties, is a step in that direction.

Mr. LIPPINCOTT. I believe Mr. Speaker, the gentleman is under a misapprehension concerning the present county code.

Under the county code which was passed by this House in the last two months or so and is now law, a judge is a member of the salary board for the purpose of determining the number and compensation of his employes.

Furthermore, I call to the gentleman's attention that House Bill 1750 is presently on today's calendar for third reading, which would permit a judge to appeal to the court if the salary board does not go along with his recommendations concerning the number of employes. It seems to me that that bill should be slightly amended, but that would clearly correct any difficulty if the judge is not satisfied with the decision of the salary board. Therefore, I ask the Members to vote against the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—88

Amarando,	Flint,	Lutty,	Readinger,
Anderson, M. S.,	Flynn,	McCann,	Reibman,
Anderson, S. A.,	Frank,	McCormack,	Reidenbach,
Barnatovich,	Frascella,	McGee,	Renwick,
Bazin,	Gaffney,	McLaughlin,	Sarraf,
Boies,	Garlock,	Meholchick,	Scarcelli,
Bonner,	Gelfand,	Mihm,	Schuster,
Boory,	Guss,	Mills,	Sherman,
Branca,	Hamilton, R. K.,	Monroe,	Smith, Wm. B.,
Brennan, A. P.,	Hass,	Moran,	Snider,
Brennan, J. J.,	Heavey,	Mullen,	Stank,
Breth,	Holt,	Munley,	Stone,
Bucchin,	Jenkins,	Musto,	Swartz,
Cianfrani,	Jones, G. E.,	Needham,	Taylor,
Cioffi,	Kamyk,	Olsen,	Thomas,
Cochran,	Kolankiewicz,	O'Neil,	Toll,
Comer,	Kornick,	Pacchioli,	Walsh,
Curwood,	Leiby,	Paulhamus,	Wargo,
Dougherty,	Leonard,	Petrosky,	Welsh,
Eilberg,	Leven,	Pettigrew,	Wheeler,
Filo,	Limper,	Polaski,	Whitenight,
Fineman,	Lovett,	Polen,	Williams,

NAYS—100

Adam,	Gibson,	Lopresti,	Stebbins,
Agnew,	Goldstein,	Magee,	Steckel,
Ashton,	Gramlich,	Mahan,	Stephens,
Auker,	Guthrie,	Markley,	Stevenson,
Banker,	Hamilton, W. H.,	Maxwell,	Stoner,
Bell,	Haudenshield,	McWherter,	Strausser,
Bower,	Helm,	Mikula,	Stroup,
Breisch,	Henzel,	Miller,	Thompson,
Brown,	Hocker,	Moody,	Tompkins,
Bullen,	Horst,	Moscrip,	Toomey,
Capano,	Houk,	Murphy,	Varner,
Connelly,	Isaacs,	Murray, H. P.,	Vaughan,
Davis,	Johnson,	Murray, P. G.,	Wall,
Donahue,	Jones, T. H. W.,	Naugle,	Waterhouse,
Donaldson,	Jump,	Ogilvie,	Weidner,
Down,	Kehler,	Parry,	Wescott,
Ehrgood,	Kent,	Price,	Willaredt,
Erb,	Knecht,	Pursley,	Wilt,
Eshleman,	Kooker,	Rigby,	Wood,
Ewing,	Kromer,	Rovansek,	Worley,
Farabaugh,	Kubacki	Royer,	Yetter,
Floyd,	Lafore,	Rubin,	Yetzer,
Frost,	Leisey,	Rudisill,	Young,
George,	Light,	Sigman,	Ziegler,
Gibb,	Lippincott,	Smith, C. C.,	Andrews, Speaker

NOT VOTING—22

Blair,	Keller,	Metz,	Rosen,
Brenninger,	Kline,	Muldowney,	Spencer,
Cooper,	Kratz,	Murray, J. J.,	Varallo,
Foster,	Lawyer,	Pashley,	Verona,
Greenwood,	McInroy,	Pomeroy,	Wallace,
Hewitt,	McKeever,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 257

Mr. McGEE. Mr. Speaker, I move that the vote by which House Bill No. 257, Printer's No. 679, entitled:

"An Act amending the act of April 12, 1951 (P. L. 90) entitled 'An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws' authorizing licensed establishments to sell until two o'clock antemeridian on Sundays"

was defeated on final passage Tuesday, September 27, 1955, be reconsidered.

Mr. TOLL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. McGee vote on the final passage of this bill?

Mr. McGEE. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Philadelphia Mr. Toll vote on the final passage of this bill?

Mr. TOLL. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. LIGHT and DAVIS and were as follows:

YEAS—93

Adam,	Frascella,	Lopresti,	Reidenbach,
Amarando,	Gaffney,	Lutty,	Renwick,
Anderson, M. S.,	Garlock,	Markley,	Rosen,
Anderson, S. A.,	Gelfand,	McCormack,	Rubin,
Barnatovich,	Goldstein,	McGee,	Sarraf,
Bazin,	Gramlich,	McLaughlin,	Scarcelli,
Boles,	Hamilton, R. K.,	Meholchick,	Schuster,
Bonner,	Holt,	Mihm,	Sherman,
Brennan, A. P.,	Jenkins,	Mikula,	Sigman,
Brennan, J. J.,	Jones, G. E.,	Monroe,	Smith, Wm. B.,
Breth,	Jones, T. H. W.,	Moran,	Stank,
Bucchin,	Jump,	Munley,	Steckel,
Bullen,	Kamyk,	Murphy,	Stone,
Comer,	Kehler,	Musto,	Taylor,
Connelly,	Knecht,	Needham,	Thomas,
Curwood,	Kolankiewicz,	Olsen,	Toll,
Dougherty,	Kubacki	O'Neil,	Vaughan,
Ehrgood,	Lafore,	Pacchioli,	Wargo,
Farabaugh,	Leiby,	Petrosky,	Weidner,
Filo,	Leonard,	Pettigrew,	Welsh,
Fineman,	Leven,	Polaski,	Williams,
Floyd,	Limper,	Readinger,	Yetter,
Flynn,	Lippincott,	Reibman,	Yetzer,
Frank,			

NAYS—79

Agnew,	Gibb,	Moody,	Strausser,
Ashton,	Guss,	Moscrip,	Stroup,
Auker,	Guthrie,	Murray, H. P.,	Swartz,
Banker,	Hass,	Murray, P. G.,	Thompson,
Bell,	Haudenshield,	Naugle,	Tompkins,
Boory,	Helm,	Ogilvie,	Toomey,
Bower,	Henzel,	Parry,	Varner,
Brown,	Hocker,	Paulhamus,	Wall,
Capano,	Houk,	Polen,	Walsh,
Cianfrani,	Isaacs,	Price,	Waterhouse,
Cochran,	Johnson,	Pursley,	Wheeler,
Davis,	Kooker,	Rigby,	Whitenight,
Donahue,	Kornick,	Royer,	Willaredt,
Donaldson,	Kromer,	Rudisill,	Wilt,
Down,	Leisey,	Smith, C. C.,	Wood,
Erb,	Light,	Snider,	Worley,
Flint,	Lovett,	Stebbins,	Young,
Frost,	Magee,	Stephens,	Ziegler,
George,	Mahan,	Stevenson,	Andrews,
Gibson,	Miller,	Stoner,	Speaker

NOT VOTING—38

Blair,	Greenwood,	Maxwell,	Murray, J. J.,
Branca,	Hamilton, W. H.,	McCann,	Pashley,
Breisch,	Heavey,	McInroy,	Pomeroy,
Brenninger,	Hewitt,	McKeever,	Rovansek,
Cioffi,	Horst,	McWherter,	Spencer,
Cooper,	Keller,	Metz,	Varallo,
Eilberg,	Kent,	Mills,	Verona,
Eshleman,	Kline,	Muldowney,	Wallace,
Ewing,	Kratz,	Mullen,	Wescott,
Foster,	Lawyer,		

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. READINGER. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1268

Mr. STANK. Mr. Speaker, I move that the vote by which House Bill No. 1268, Printer's No. 896, entitled:

"An Act amending the act of May 1, 1929, (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of

vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds', changing provisions relating to disposition of certain fines and penalties,"

was defeated on final passage Tuesday, September 27, 1955, be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER How did the gentleman from Northumberland, Mr. Stank vote on the final passage of this bill?

Mr. STANK. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Petrosky vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring.

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, in order that all of the Members of the House might know what they are voting on, this is a bill that was defeated by a few votes September 27th. It provides that the fines for certain vehicular offenses such as overweight, speeding and so forth, shall be divided fifty, fifty between the State Bureau License Fund and the municipalities.

We debated the bill at some length previously, but I wanted to be sure that the Members knew that this is the bill that they are now voting on.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Adam,	Goldstein,	McWherter,	Rubin,
Amarando,	Greenwood,	Meholchick,	Sarraf,
Anderson, M. S.,	Guss,	Metz,	Scarcelli,
Anderson, S. A.,	Guthrie,	Mihm,	Schuster,
Barnatovich,	Hamilton, R. K.,	Mikula,	Sherman,
Bazin,	Hass,	Miller,	Sigman,
Boies,	Heavey,	Mills,	Smith, C. C.,
Bonner,	Helm,	Monroe,	Smith, Wm. B.,
Boory,	Holt,	Moran,	Stank,
Bower,	Horst,	Mullen,	Stebbins,
Brennan, A. P.,	Jenkins,	Munley,	Stephens,
Brennan, J. J.,	Johnson,	Murray, H. P.,	Stone,
Breth,	Jones, G. E.,	Musto,	Strausser,
Bucchin,	Jump,	Naugle,	Swartz,
Cianfrani,	Kamyk,	Needham,	Taylor,
Cioffi,	Kolankiewicz,	Olsen,	Thomas,
Comer,	Kubacki,	O'Neil,	Thompson,
Curwood,	Lafore,	Pacchioli,	Toll,
Dougherty,	Leiby,	Paulhamus,	Vaughan,
Erb,	Leonard,	Petrosky,	Verona,
Ewing,	Leven,	Pettigrew,	Wall,
Farabaugh,	Light,	Polaski,	Wargo,
Filo,	Limper,	Polen,	Weidner,
Fineman,	Lopresti,	Price,	Welsh,
Flint,	Lovett,	Pursley,	Whitenight,
Floyd,	Lutty,	Readinger,	Williams,
Flynn,	Magee,	Reibman,	Worley,
Frank,	Mahan,	Reidenbach,	Yetter,
Frascella,	Maxwell,	Renwick,	Young,
Gaffney,	McCormack,	Rigby,	Andrews,
Garlock,	McGee,	Rosen,	Speaker
Gelfand,	McLaughlin,	Rovansek,	

NAYS—58

Agnew,	George,	Lippincott,	Stevenson,
Ashton,	Gibb,	Markley,	Stoner,
Auker,	Gibson,	McCann,	Stroup,
Banker,	Gramlich,	Moody,	Tompkins,
Bell,	Haudenshield,	Moscrip,	Toomey,
Breisch,	Henzel,	Murphy,	Varner,
Brown,	Hocker,	Murray, J. J.,	Walsh,
Bullen,	Houk,	Murray, P. G.,	Waterhouse,
Cochran,	Isaacs,	Ogilvie,	Wheeler,
Connelly,	Jones, T. H. W.,	Parry,	Willaredt,
Davis,	Kehler,	Royer,	Wilt,
Donahue,	Kooker,	Rudisill,	Wood,
Donaldson,	Kornick,	Snider,	Yetzer,
Down,	Kromer,	Steckel,	Ziegler,
Frost,	Leisey,		

NOT VOTING—26

Blair,	Eshleman,	Knecht,	Pashley,
Branca,	Foster,	Kratz,	Pomeroy,
Brenninger,	Hamilton, W. H.,	Lawyer,	Spencer,
Capano,	Hewitt,	McInroy,	Varallo,
Cooper,	Keller,	McKeever,	Wallace,
Ehrgood,	Kent,	Muldowney,	Wescott,
Eilberg,	Kline,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PARLIAMENTARY INQUIRY

Mr. LIPPINCOTT. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LIPPINCOTT. Mr. Speaker, has the practice followed on this bill, voting on it without having it on the calendar, ever been carried through on any other occasion during this session.

The SPEAKER. We have pursued the ordinary and correct parliamentary procedure on a motion to reconsider.

If the motion carries the question immediately recurs. It is then within the province of the sponsor of the motion to move that it be placed upon the postponed calendar, or any other Member of the House would have the privilege of moving that the bill be placed upon the postponed calendar.

In this particular instance the sponsors of the measure desired an immediate vote, which was their right under all parliamentary procedure with which the Speaker is familiar for the last thirty years.

PARLIAMENTARY INQUIRY

Mr. LIPPINCOTT. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. LIPPINCOTT. Mr. Speaker, I respectfully submit

that while I agree it can technically be done as it was done, my question was and still is, has this procedure been followed on any other occasion during this session?

The SPEAKER. It has not been followed upon any previous occasion so far as the Speakers knows, because the sponsors of the motion did not desire an immediate vote.

REPORTS FROM COMMITTEE

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 54, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Bloomsburg State Teachers College and for the Commonwealth's share of expenses incurred by the town of Bloomsburg in connection therewith.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 200, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase of fire fighting equipment for the Scotland School for Veterans' Children.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 887, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Shippensburg State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Shippensburg in connection therewith.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 905, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania, to provide improved facilities for female Juveniles committed by the courts of the Commonwealth.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1573, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Edinboro State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Edinboro in connection therewith.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1584, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of research to be conducted at the Pennsylvania State Agricultural Experiment Station at University Park, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1688, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction of armory facilities, under certain conditions.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1689, entitled:

An Act making an appropriation to the Department of Property and Supplies for repair and improvements to the Pennsylvania Soldiers' and Sailors' Home at Erie.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1699, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire land on which is located the Old Bradford House in the City of Washington, Washington County; providing for its repair; authorizing the conveyance thereof to the Washington County Historical Society; and making an appropriation.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1727, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purchase of strip mined and adjacent areas and mineral rights on lands under the jurisdiction of the department.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1728, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase and installation of equipment for the Commonwealth Cafeteria and expenses incident thereto.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1732, entitled:

An Act lapsing unexpended and unencumbered balances of certain appropriations from the Motor License Fund.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 1834, entitled:

An Act making an appropriation to the House of Representatives of the General Assembly for the payment of mileage of members and incidental expenses for the balance of the legislative session of 1955.

Mr. POLEN from the Committee on Appropriations, reported as committed, Senate Bill No. 785, entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursements to school districts.

Mr. POLEN from the Committee on Appropriations, re-reported as amended, House Bill No. 320, entitled:

An Act amaking an appropriation to the Department of Commerce for the advertisement and advancement of Pennsylvania as a resort and travel area.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 514, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase certain lands adjacent to the Pennsylvania Farm Museum of Landis Valley property providing for the control maintenance and improvement thereof and making an appropriation.

Mr. POLEN from the Committee on Appropriations, re-reported as amended, House Bill No. 647, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" fixing the date for liability of costs of patient care.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 703, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Town of Bloomsburg

Columbia County for the use of the Bloomsburg State Teachers College and making an appropriation.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 773, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 1280, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire tracts of land in the Borough of Edinboro Erie County for use of the Edinboro State Teachers' College and making an appropriation.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 1295, entitled:

An Act making an appropriation to the Department of Agriculture to assist the Commonwealth's 4-H Club and Future Farmers of America dairy show program by paying the expenses of holding the six existing 4-H Dairy Club and F F A district dairy shows and in addition a State-wide show to be held in the Fall of the year as a preliminary to the State Farm Show.

Mr. POLEN from the Committee on Appropriations, re-reported as amended, House Bill No. 1314, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the provisions relating to sick leaves for certain State employes.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 1464, entitled:

An Act directing the Department of Highways to transfer the Searight Toll House to the Pennsylvania Historical and Museum Commission providing for the repair of the Toll House authorizing the Department of Property and Supplies to convey the Toll House to the Westmoreland-Fayette Historical Society and making an appropriation.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 914, entitled:

An Act reenacting and amending the act of May 23, 1949 (P. L. 1661) entitled as amended "An act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses" extending the act to include school districts of the first class A.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 917, entitled

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for equal reimbursement to school districts of the first class A and first class.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 1340, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing for payments to school districts on account of pupil transportaton.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 1535, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing budget estimates relating to travel costs of county and assistant county superintendents and of supervisors of special education.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 1543, entitled:

An Act relating to the protection of forests and the control of forest pests declaring forest pests to be a public nuisance conferring powers and imposing duties on the Department of Forests and Waters providing for penalties making an appropriation and repealing inconsistent laws.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 1592, entitled:

An Act amending the act of May 14, 1907 (P. L. 197) entitled "An act to provide for the establishing and maintenance of one or more sanatoria or colonies in Pennsylvania for the free care and treatment of indigent persons suffering from tuberculosis and making an appropriation therefor" extending its provisions to all persons suffering or suspected of suffering from tuberculosis.

Mr. POLEN from the Committee on Appropriations, re-reported as committed, House Bill No. 1642, entitled:

An Act to add clause (1) to section two thousand one hundred two of the act approved the ninth day of April 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commission defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative department boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing and making it the duty of the Department of Health to provide limited training in the field of public health work for certain State and municipal employes.

Mr. POLEN from the Committee on Appropriations, rereported as committed, House Bill No. 1643, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" redefining the powers and duties of the Department of Health.

Mr. POLEN from the Committee on Appropriations, rereported as committed, House Bill No. 1733, entitled:

An Act amending the act of September 29 1951 (P. L. 1652) entitled "An act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on lands heretofore or about to be conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said lands and building to the Mercy-Douglass Hospital" clarifying the world hospital.

Mr. POLEN from the Committee on Appropriations, rereported as committed, Senate Bill No. 121, entitled:

An Act requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation recreation dams and flood control authorizing the Secretary of Forests and Waters to determine the need for and lcoation of such projects and to acquire the necessary land.

Mr. BULLEN from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 366, entitled:

An Act amending the act of July 11 1917 (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" correcting the spelling of the word "cocoa" to "coca" and providing for oral prescriptions in certain cases and regulating their use.

BILLS ON FIRST READING

Mr. POLEN asked and obtained unanimous consent for House Bill No. 54 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 54 entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Bloomsburg State Teachers College and for the Commonwealth's share of expenses incurred by the town of Bloomsburg in connection therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 200 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 200, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase of fire fighting equipment for the Scotland School for Veterans' Children.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 887 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 887, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Shippensburg State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Shippensburg in connection therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 905 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 905, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania, to provide improved facilities for female Juveniles committed by the courts of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1573 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1573, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Edinboro State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Edinboro in connection therewith.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1584 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1584, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of research to be conducted at the Pennsylvania State Agricultural Experiment Station at University Park, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1688 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1688, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction of armory facilities, under certain conditions.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Mr. POLEN, asked and obtained unanimous consent for House Bill No. 1689 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1689, entitled:

An Act making an appropriation to the Department of Property and Supplies for repair and improvements to the Pennsylvania Soldiers' and Sailors' Home at Erie.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1699 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1699, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire land on which is located the Old Bradford House in the City of Washington, Washington County; providing for its repair; authorizing the conveyance thereof to the Washington County Historical Society; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1727 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1727, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purchase of strip mined and adjacent areas and mineral rights on lands under the jurisdiction of the department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1728 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1728, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase and installation of equipment for the Commonwealth Cafeteria and expenses incident thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1732, to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1732, entitled:

An Act lapsing unexpended and unencumbered balances of certain appropriations from the Motor License Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for House Bill No. 1834, to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1834, entitled:

An Act making an appropriation to the House of Representatives of the General Assembly for the payment of mileage of members and incidental expenses for the balance of the legislative session of 1955.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. POLEN asked and obtained unanimous consent for Senate Bill No. 785, to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 785, entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursements to school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE BILL Nos. 1618, 1209, 1055, 1560, 1718 and 1794 MADE SPECIAL ORDERS

Mr. READINGER. Mr. Speaker, I move that
House Bill No. 1618, Printer's No. 837 on page 12,
House Bill No. 1209, Printer's No. 1017 on page 5,
House Bill No. 1055, Printer's No. 930 on page 9,
House Bill No. 1560, Printer's No. 1018 on page 11,
House Bill No. 1718, Printer's No. 1012 on page 14, and
House Bill No. 1794, Printer's No. 998 on page 21,
bills on third reading, be made a special order of business in that order immediately.

The motion was agreed to.

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, being House Bill No. 1618, Printer's No. 837 on page 12 of today's calendar.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1618, as follows:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department there-

of and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" prescribing powers and duties of the Department of Welfare with respect to juveniles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 2322 act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" added May 15, 1945 (P. L. 544) is repealed

Section 2 Article 23 of the act is amended by adding at the end thereof two new sections to read

Section 2322 Juvenile Delinquency The Department of Welfare shall have the power and its duty shall be

(a) To offer consultation and advise to local and statewide public or private agencies including juvenile courts to community groups concerned with the prevention of juvenile delinquency in the planning and developing of measures to reduce the incidence of delinquency

(b) To offer consultation guidance and assistance to public and voluntary agencies and institutions including the Juvenile Courts in developing strengthening and improving program for predisposition study probation supervision institutional treatment and after-care of delinquent youth including training courses for personnel of the agencies and institutions

(c) To develop recommended measures for corrective treatment of juvenile delinquencies requiring differing corrective techniques and to assure the availability of appropriate facilities for them the department shall plan with and offer a recommended program of coordination among existing public and private institutions for the development of specialized programs of re-education treatment and rehabilitation and shall establish and operate any additional facilities needed Using actual costs of maintenance and service to juveniles as the basis of calculations the department in consultation with the training schools shall establish rates of care to be charged by the training schools to the counties and to the Departments of Public Welfare of cities of the first class

(d) To reimburse the counties and the Departments of Public Welfare of cities of the first class for part of the net cost of maintenance correction re-education rehabilitation and treatment of juvenile delinquents the proportion to be reimbursed shall be determined annually by the department and shall be uniform for all counties and departments

(e) To assist counties and local public and private agencies to establish research projects designed to study the causes and methods of prevention of juvenile delinquency

(f) Through the secretary or his designee to accept or refuse grants appropriations contributions or unencumbered property real personal or mixed tangible or intangible or any interest therein for the purposes described in this section from the Federal government the Commonwealth and any donor All grants appropriations and contributions of money accepted shall be held by the State Treasurer as custodian for the Department of Welfare and shall be paid out on its requisition to further the objectives of this section

(g) To gather collate interpret and disseminate statistics and reports relating to the problem of juvenile delinquency and to the treatment of juveniles

Section 2323 Study Classification and Assignment The Department of Welfare shall have the power and its duty shall be

(a) To establish and administer a program designed to assist the Juvenile Courts and other public and private agencies on their request in the diagnosis and study of juvenile delinquents and of children with mental or behavior problems and to recommend to them the most appropriate disposition for the rehabilitation and treatment of such children this program shall be based on review of local studies of the children but when local studies indicate the need or when it is requested may include residential study of the children in centers which the department is hereby authorized to establish and operate

(2) To accept custody of children committed by the juvenile courts for study and on the basis of its review of local studies of each child and any additional residential studies as are deemed necessary to recommend to the court that the child be placed in that state institution supervised institution or children's institution as defined in this article or to recommend any other placement or treatment which may be indicated the department may recommend that the court transfer any child from one type of care to another or return him to his home for trial periods Notice of any transfer shall be sent by the department promptly to the parents guardian or nearest relative of the child and to the committing court The department may also recommend the discharge of a child from its custody but any decision with respect thereto shall remain the sole responsibility of the committing court

Section 3 This act shall take effect immediately

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, this is the same bill that was debated during a previous session, relating to juvenile delinquents.

I raised a number of issues at that time in connection with the bill and I am wondering if the Majority Leader at the present time is in a position to answer those questions or inquiries raised at that time.

Mr. READINGER. Mr. Speaker, in answer to the gentleman's question, I was of the opinion that I had answered his questions. If he will restate them I shall see if I can re-answer them.

Mr. TOMPKINS. Well the first question, Mr. Speaker, the most important question is, what does this bill do that the Department of Welfare is not already authorized to do under the act of 1945?

Mr. READINGER. In answer to the gentleman's question, I would read parts of a letter from Norman V. Lourie, Executive Deputy Secretary of the Department of Welfare, to Mr. Polen, Chairman of the Appropriations Committee.

In this letter dated October 5, 1955 he states as follows:

> This bill is important if we are to begin to reduce juvenile delinquency and to rehabilitate the boys and girls sent to correctional schools. It is a well known fact, agreed to by juvenile court judges that there are no resources in many counties for psychological and psychiatric study of boys and girls before the courts on delinquency charges. Further few counties have full time probation officers to gather social data.
>
> House Bill 1618 authorizes the Department of Welfare to supply the facilities for study of juveniles to these courts which request the department to do so. House Bill 1618 authorizes the department to reimburse counties for part of the increased cost of care at training schools after

their programs have been improved. This is the place where funds for more than a modest increase in personnel would be required. However, it will take some months for one or two training schools at a time to reorganize their programs, obtain the needed staff and set their rates. Only then will the department reimburse counties. We anticipate that with better study of delinquents before disposition by the court, and more resources for their care locally, the number sent to training schools will be reduced from what it is at present. This will keep down the amount of reimbursement to the counties.

"The Department is authorized by House Bill 1618 to consult and advise with juvenile courts and local community groups on providing resources to improve local study and probation and treatment services. It is highly likely that many courts now commit juveniles to institutions who might remain in their local communities if the courts had juvenile probation service, and if local agencies, not established as training schools, would accept some mild delinquents.

He states further in this letter and I am sorry to take so much time of the House, but the only way to answer the gentleman's question is to state what the Department of Welfare says this bill does, which is not now provided for by the present law.

I understand that a member of the House has inquired why section 2322 of the administrative code added by the act of May 15, 1945, does not provide the authorizations contained in 1618. Section 2322 was written when all corrective functions were in the Department of Welfare. All adult corrections have now been transferred to the Department of Justice. Although the general intent of section 2322 is similar to that of House Bill 1618, it does not apply exclusively to juvenile delinquency and its paragraphs are too brief to guide the department in carrying out its provisions.

"Section 2322 does not specifically permit the department to provide study services when requested by the courts. The seventeen voluntary training schools would properly resist planning new programs if the department invited them to do so under paragraph (c) of this section. It does not sufficiently describe how the new programs are to be developed.

Section 2322 does not authorize the department to reimburse counties for juveniles committed to training schools with specialized programs.

Finally, section 2322 would not put the Commonwealth in a position to receive federal funds for juvenile delinquency programs which are expected to be made available after the next session of Congress.

Mr. TOMPKINS. That is a rather lengthy discourse on the purposes of House Bill 1618, but I am still not satisfied that it is an answer to my question.

I would like to further raise this issue since I am very highly interested in this reimbursement feature that they talk about, which is provided in section 4, sub-section (d). It has been my understanding that when the courts commit a juvenile to an institution today that the county from which that child is committed must pay that institution for its care. Now, what is this reimbursement thing they are talking about?

Mr. READINGER. Has the gentleman read the section?

Mr. TOMPKINS. Yes I have, Mr. Speaker, that is the reason why I ask the question.

Mr. READINGER. Well I shall read it then for the membership's information. Among the other powers that the Department of Welfare is given under sub-section (d) on page 4

To reimburse the counties and the Departments of Public Welfare of cities of the first class for part of the net cost of maintenance correction reeducation rehabilitation and treatment of juvenile delinquents the proportion to be reimbursed shall be determined annually by the department and shall be uniform for all counties and departments.

In other words, I understand that section to mean that the Department of Welfare may reimburse the counties in part for the actual work they are doing with juvenile delinquents. I do not assume that that means maintenance costs when a delinquent is sent to an institution, but there are lots of other functions that these counties perform in relation to juvenile delinquents without sending them to an institution. They have probationary service, they have educational programs, I presume, and a lot of things which cost the local districts money.

Mr. TOMPKINS. Mr. Speaker, may I then inquire what is the estimated cost of this particular section, what do they estimate it will cost annually?

Mr. READINGER. Mr. Speaker, at this point I shall yield to the Chairman of the Appropriations Committee, Mr. Polen.

The SPEAKER. The gentleman from Berks yields to the gentleman from Washington.

Mr. POLEN. Mr. Speaker, in relation to the costs, there have been no costs computed, but the Department says that they will be able to take care of this program out of the funds that are provided for in their regular budget. The bill itself carries no appropriation. They say none is needed.

Mr. TOMPKINS. Well, how much do they estimate this program might cost?

Mr. POLEN. I would have to refer to the specific part of the budget where it is broken down. I do not have it available here. It requires no additional funds so far as . . . . . .

Mr. TOMPKINS. Not out of the general appropriation fund, no, but how much of that general appropriation fund do they intend to use for that purpose? I think we are entitled to know how much they intend to set up on this basis.

Mr. READINGER. The Gentleman from Cameron has raised a question which is pertinent, and I think we are entitled eventually to know how much the department at least proposes to spend on this program. However, I say that when we appropriate money to a department, we do so usually based upon the request of the department, setting forth what they think their needs are, and we certainly should have enough faith in our departments to believe that they would spend on a program of this kind only that amount of money which they thought was advisable and necessary to carry it out to its greatest extent, the greatests efficiency. Whether they had five million to spend on it or five hundred, I think they would certainly be charged with using proper discre-

tion in spending only that amount of money that is necessary to carry out a good program.

I have just been informed that the Department of Welfare estimates the use of $300 thousand for the biennium for this work.

Mr. TOMPKINS. Is that just for the reimbursement of the counties or what?

Mr. Speaker, the thing I am trying to bring out is this, I am interested in finding out just exactly how much money the department is asking for the purpose of extending its power into the local communities. As I said here on this floor a couple of weeks ago, I am not against any effort that is made for the purpose of trying to develop a program to reduce our juvenile delinquency but I am just wondering, this bill carries very broad power and that the Department of Welfare can use amounts which they do not tell us, to run around the state of Pennsylvania trying to find out how many juvenile delinquents they can develop for the purpose of having an organization to knock down juvenile delinquents. Now, if we are going to have a juvenile delinquency program I think we are entitled to know what is is going to be all about.

Mr. READINGER. Mr. Speaker, has the gentleman finished?

Mr. TOMPKINS. On that particular issue, yes, Mr. Speaker.

Mr. READINGER. Does the gentleman desire to debate the bill further?

Mr. TOMPKINS. Mr. Speaker, I have some more interrogations.

I would like to know exactly what institutions this bill will cover, what they will control. Will they control only state aided or state owned or will they control any institutions in the state whether they are state aided or state controlled?

Just how extensive will the jurisdiction of the Department be in this bill?

Mr. READINGER. Mr. Speaker, I think we covered this point in our previous debate.

The purpose of this bill is not to give the Department of Welfare power to go out and find or create juvenile delinquents, as the gentleman well knows. The purpose is to combat juvenile delinquency and treat it more effectively than it has been treated before in order to reduce it.

The bill is very plain and short. It sets up a system whereby the Department of Welfare is charged with the duty of cooperating with local units that are already operating to combat juvenile delinquency, to offer them consultation, guidance, advise with them, and so forth, and in addition give them these grants reimbursing the counties in part for some of the cost of these programs.

When the gentleman speaks about jurisdiction over this subject he well knows, I think, from reading the bill that we are not by this bill conferring exclusive jurisdiction in any sense upon the Department of Welfare. It is certainly not the intention of the Department of Welfare to reach out and try to supersede any local agencies. They are there to help. This is the very purpose of this bill.

We have done a lot of talking about juvenile delinquency. We have had a lot of meetings and discussed the problem and what we could do about it. Here is a good opportunity to do something. The gentleman seems very, very critical about the whole idea. Perhaps he does not like the idea of spending $300 thousand, which is his privilege.

We think it is a good expenditure, a worthwhile expenditure. I do not think there is anything in this bill calling for control of any children in institutions. When they are sent to an institution by a juvenile court, they are in control of the trustees and the people who run those institutions, whether they be under the Department of Welfare or some other department.

I fail to see the point of some of his criticism today of this bill.

Mr. TOMPKINS. Mr. Speaker, in connection with the letter from Mr. Lourie, he speaks about the furnishing of psychiatrists and psychologists for the benefit of the court upon request. I wonder if the gentleman could point out to me any court in the state of Pennsylvania that has made a request for a psychiatrist or a psychologist to come in and examine any person before them that they have not already received that privilege. Do not the institutions who are caring for juveniles at the present time have psychiatrists, psychologists, and so forth, for the purposes of taking care of their program?

Mr. READINGER. Mr. Speaker, I would like to yield at this point to the lady from Lehigh, Miss Leiby.

Miss LEIBY. Mr. Speaker, I attended a meeting where this bill was thoroughly discussed. The object of this bill is to help juvenile delinquents in order to bring them back to that state of society where they are normal minglers and they are no longer unsocial.

These boys and girls who get into trouble with the courts are not born that way, something happened to them. Usually it was some part of their environment. A judge does not have the time to sit down and consult with each child and win their confidence. Usually a probation officer does not have the time.

There are some groups of people who are trained and who do have the time to sit down and talk quietly with the child and try to get its confidence so that they can really find out what causes that young person to act in the unsocial manner which caused them to be brought before the court. This is all done in a cooperative spirit. There is no compulsion. The idea is that some of our correctional institutions have not yet developed a program to treat individual types of delinquency.

This bill would try to encourage the already existing institutions to develop a program for a certain type of delinquency, and then these social workers after trying to find out about the particular child involved would recommend to the court that the child be sent to a particular institution.

That is a program that has to be developed, but they expect to use the existing institutions to develop it, and the only thing that may be needed might be more trained social workers or psychiatrists to treat the different types of children who come before the court.

Some of them may come there because they are mentally retarded, but many of them come for other reasons that a sympathetic person and a sympathetic man or woman can recommend treatment that will bring that child back to normal living and what we consider good social life in the community.

Mr. TOMPKINS. Mr. Speaker, I agree wholeheartedly

with everything the lady from Lehigh has said. I have no argument with her observations, but in connection with this particular bill I am asking in the light of her statement what this bill provides that we are not already providing in these institutions to take care of this very same problem. Is it not a problem of where you are going to get these workers, rather than whether or not such a program should go through?

Personally I think the bill is more or less a futility. I personally propose to vote against it.

Mr. READINGER. Mr. Speaker, in asking the Members to vote for this bill, I would like to read portions of an editorial which appeared in the Catholic Standard and Times—under date of Friday, September 18th, entitled, "A Really Worthwhile Bill." I believe copies of this have been mailed to the Members and perhaps some of you have read it. I would like to take just a minute to read it so you will know when you vote for it that you are voting for a really worthwhile bill.

> The agonizing problems raised by increasing numbers of youthful criminals have been the subject of careful examination by the Legislature of the Commonwealth of Pennsylvania in its present session, and the resultant House Bill No. 1618 now before the House of Representatives of the General Assembly is one that deserves sincere commendation and hearty approval. The bill has passed a second reading in the House and will shortly be considered in the Senate. It deserves to be made part of the law of the Commonwealth.
>
> House Bill No. 1618 would provide amendments to the Administrative Code of 1929 by which certain powers and duties are conferred upon the Department of Welfare of the Commonwealth The bill is remarkable in two important repsects First it is wholly devoid of a patronizing toleration of private agencies in the field. Secondly the bill makes sure that children's rights are secured to them.
>
> It is a distinct and pleasant surprise not to encounter in a social welfare bill the notion that private agencies are antiquated vestiges of an unplanned society and dangerous obstacles to human progress. There are in this Commonwealth 24 institutions for juvenile delinquents; 17 of these are private institutions, and of these, nine are under Catholic auspices. It seems, therefore, that private agencies were hard at work on this vexing problem long before the dabblers and the "social planners" began to speak of the problem, or even admit that there was such a problem.
>
> The second remarkable feature of House Bill No. 1618 is that for once in proposed social legislation defenseless children are considered in a different light than as white mice in a social worker's laboratory. This bill is explicit and precise in keeping all power of placement in the Juvenile Courts. The Catholic Bishops of this Commonwealth have always insisted upon this protection for children lest over-self-confident social workers seize upon these children in their custody and attempt to remake them in their own image, and not in God's.
>
> The proposed bill provides mainly for supplying information and means of coordination to agencies dealing with juvenile delinquents. The Department of Welfare is to make known the needs that are to be met and to help to coordinate the efforts of these agencies. This represents a proper function of the Department of Welfare. In many counties of the Commonwealth it is difficult to find institutions that will accept delinquents in certain age brackets. Under one section of the new bill, the Department of Welfare, for example, would bring to the notice of the agencies where and how many delinquents for want of proper custodial care have to be housed with hardened criminals, and ask the agencies to meet the need. But the agencies would be free to decide what their program and policy should be. The Department would offer the information, the agencies would set the policies.
>
> Another section of the proposed bill provides for "local studies of each child." This means examination of the child by the Court or Court-appointed investigators in his own home community. There would be additional "residental studies" where children would spend up to two weeks before being assigned according to classification to an institution. This will protect the rights of the child and prevent hasty and unwise assignment. It should also be noted that there is in the Juvenile Court Act a provision to safeguard the religion of the child placed by the Court. So long as the Court, and not the Department of Welfare, places the child he has this protection of the law. The proposed bill thus continues this cherished American tradition of action under law, rather than action by private whim.
>
> It is heartening to find such well-considered and time-tested provisions in House Bill No. 1618, and it deserves the endorsement of the Legislature and the Governor's signature. It is commendable that the bill served notice that here in this Commonwealth there are real experts on the problem of juvenile delinquency who have combined with legislators who still subscribe to the rule of law in efforts to meet with the delinquency problem. It is remarkable to see that at long last action is being taken under the aegis of the principle that the God-given natural rights of children are paramount, and not questionable sociological techniques which veer with each new gust of wind.

Members, I ask you to vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—135

Adam,	Farabaugh,	McCormack,	Rudisill,
Amarando,	Frascella,	McGee,	Sarraf,
Anderson, M. S.,	Frost,	McLaughlin,	Scarcelli,
Anderson, S. A.,	Gaffney,	McWherter,	Schuster,
Auker,	Garlock,	Meholchick,	Sherman,
Banker,	Gelfand,	Mihm,	Sigman,
Barnatovich,	Gibson,	Mikula,	Smith, Wm. B.,
Bazin,	Goldstein,	Mills,	Snider,
Bell,	Guss,	Monroe,	Stank,
Boles,	Hamilton, R. K.,	Moody,	Stebbins,
Bonner,	Hass,	Moran,	Steckel,
Boory,	Heavey,	Mullen,	Stephens,
Bower,	Helm,	Munley,	Stone,
Breisch,	Hocker,	Murphy,	Stoner,
Brennan, A. P.,	Holt,	Murray, J. J.,	Stroup,
Brennan, J. J.,	Jenkins,	Musto,	Swartz,
Breth,	Jones, G. E.,	Needham,	Taylor,
Bucchin,	Jones, T. H. W.,	Ogilvie,	Thomas,
Bullen,	Jump,	Olsen,	Toli,
Capano,	Kamyk,	O'Neil,	Toomey,
Cianfrani,	Kolankiewicz,	Pacchioli,	Varner,
Cioffi,	Kornick,	Paulhamus,	Vaughan,
Cochran,	Kubacki,	Petrosky,	Walsh,
Comer,	Leiby,	Pettigrew,	Wargo,
Connelly,	Leonard,	Polaski,	Welsh,
Curwood,	Leven,	Polen,	Wheeler,
Donahue,	Limper,	Readinger,	Whitenight,
Dougherty,	Lopresti,	Refbman,	Williams,
Filo,	Lovett,	Reidenbach,	Worley,

Fineman,	Lutty,	Renwick,	Yetter,
Flint,	Magee,	Rigby,	Yetzer,
Floyd,	Markley,	Rosen,	Young,
Flynn,	Maxwell,	Rovansek,	Andrews,
Frank,	McCann,	Rubin,	Speaker

NAYS—47

Agnew,	Greenwood,	Lafore,	Stevenson,
Ashton,	Guthrie,	Leisey,	Strausser,
Brown,	Hamilton, W. H.,	Light,	Thompson,
Davis,	Haudenshield,	Lippincott,	Tompkins,
Donaldson,	Henzel,	Mahan,	Wall,
Ehrgood,	Horst,	Miller,	Waterhouse,
Erb,	Houk,	Murray, H. P.,	Weidner,
Eshleman,	Isaacs,	Murray, P. G.,	Wescott,
Ewing,	Johnson,	Naugle,	Willaredt,
George,	Kehler,	Price,	Wilt,
Gibb,	Kooker,	Pursley,	Wood,
Gramlich,	Kromer,	Smith, C. C.,	

NOT VOTING—28

Blair,	Hewitt,	McInroy,	Pomeroy,
Branca,	Keller,	McKeever,	Royer,
Brenninger,	Kent,	Metz,	Spencer,
Cooper,	Kline,	Moscrip,	Varallo,
Down,	Knecht,	Muldowney,	Verona,
Ellberg,	Kratz,	Parry,	Wallace,
Foster,	Lawyer,	Pashley,	Ziegler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

STATEMENT BY SPEAKER

The SPEAKER. The clerks at the desk endeavor to preserve a fair square roll call. The Speaker cannot remember in all the time that he has been here at Harrisburg a desk that has tried more diligently to stand by the integrity of a roll call. Sometimes the Chair thinks the Members fail to cooperate and understand the significance of what the desk is trying to do. The Speaker bespeaks for the desk your cooperation so that we can be assured of the integrity of our roll calls.

SPECIAL ORDER

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, being House Bill No. 1209 Printer's No. 1017 on page 5 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1209 as follows:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry prescribing penalties and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions (a) The term "employe" as used in this act shall mean any person employed for hire in any lawful business industry trade or profession or in any other lawful enterprise

(b) "Employer" includes any person acting directly or indirectly in the interest of any employer in relations with an employe

(c) "Employ" shall mean to engage suffer or permit to work

(d) "Occupation" shall mean any industry trade business profession or any other employment

(e) "Secretary" shall mean Secretary of Labor and Industry

Section 2 Wage Rates No employer shall discriminate in any way in the payment of wages or salaries as between the sexes or pay any female in his employ at any location salary or wage rates less than the rates paid to male employes for the same work at the same location

Section 3 Powers of Secretary (a) The secretary shall have the power and it shall be his duty to carry out and administer the provisions of this act

(b) For this purpose the secretary or his authorized representative shall have the power to enter the establishment of any employer to inspect and copy payrolls and other employment records to compare character of work and operations on which persons employed by him are engaged to question such persons and to obtain such other information as is reasonably necessary to the administration and enforcement of this act

(c) The secretary shall have the power to issue such administrative regulations consistent with the purpose and provisions of this act as he deems necessary for the efficient administration thereof

Section 4 Collection of Unpaid Wages (a) An employer who wilfully and knowingly violates the provisions of section two of this act shall be liable to the employe or employes affected in the amount of their unpaid wages and in addition an equal amount as liquidated damages Action to recover such wages and damages may be maintained in any court of competent jurisdiction by any one or more employes for and in behalf of himself or themselves and other employes similarly situated Any agreement between the employer and an employe to work for less tha nthe wage to which such employe is entitled under this act shall be no defense to such action The court in such action shall in addition to any wages and damages allow a reasonable attorney's fee and cost of the action to the plaintiff At the request of any employe paid less than the wage to which she is entitled under this act the Secretary of Labor and Industry may take an assignment of such wage claim for collection and shall bring any legal action necessary to collect such claim The secretary shall not be required to pay the filing fee or other costs in connection with such action. The secretary shall have power to join various claimants against the employer in one cause of action

(b) Any action pursuant to the provisions of this act must be brought within one year from the date upon which the violation complained of occurs

Section 5 Records and Reporting Every employer subject to this act shall make keep and maintain such records of the wages and wage rate job classifications and other terms and conditions of employment of the persons employed by him and shall preserve such records for a period of four years and shall make such reports therefrom as the secretary shall prescribe

Section 6 Abstracts The Department of Labor and Industry shall prepare an abstract of the provisions of this act copies of the abstract shall be printed in accordance with the laws of the Commonwealth regulating printing and publishing and the Department of Labor and Industry shall supply the same to all persons required to post them Employers subject to the provisions of this act shall keep an abstract posted in a conspicuous place

Section 7 Penalties (a) Any employer who wilfully and knowingly violates any provisions of this act or who discharges or in any other manner discriminates against any employe because such employe has made any complaint to his employer the secretary or any other person who instituted or caused to be instituted any proceeding under or related to this act or has testified or is about to testify in any such proceedings shall be guilty of a misdeameanor and upon conviction thereof be sentenced to pay a fine of not less than fifty ($50) nor more than two hundred dollars ($200) or to undergo imprisonment for not less than thirty (30) days nor more than sixty (60) days or by both such fine and imprisonment Each day such a violation continues shall constitute a separate offense

(b) Any employer who fails to keep the records required under this act or to furnish such records to the secretary upon request or who falsifies such records or who hinders delays or otherwise interferes with the sec-

retary or his authorized representatives in the performance of his duties in the enforcement of this act or refuses such official entry into any establishment which he is authorized by this act to inspect shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine or not less than fifty dollars ($50) nor more than two hundred dollars ($200) Each day such a violation continues shall constitute a separate offense

Section 8 The act approved the seventh day of July one thousand nine hundred forty-seven (Pamphlet Law 1401) entitled "An act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" is hereby repealed

All other acts and parts of acts are hereby reapealed insofar as they are inconsistent with the provisions of this act

Section 9 Appropriation The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Labor and Industry for the two fiscal years beginning the first day of June one thousand nine hundred fifty-five for the purpose of administering and enforcing the provisions of this act

Section 10 Effective Date This act shall become effective ninety (90) days after the date of its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

Adam,	Gelfand,	McCann,	Royer,
Amarando,	George,	McCormack,	Rudisill,
Anderson, M. S.,	Goldstein,	McGee,	Sarraf,
Anderson, S. A.,	Greenwood,	McLaughlin,	Scarcelli,
Banker,	Guss,	McWherter,	Schuster,
Barnatovich,	Guthrie,	Meholchick,	Sherman,
Bazin,	Hamilton, R. K.,	Metz,	Sigman,
Bell,	Hamilton, W. H.,	Mihm,	Smith, C. C.,
Boies,	Hass,	Mikula,	Smith, Wm. B.,
Bonner,	Haudenshield,	Mills,	Snider,
Boory,	Heavey,	Monroe,	Stank,
Bower,	Helm,	Moody,	Stebbins,
Breisch,	Henzel,	Moran,	Steckel,
Brennan, A. P.,	Hocker,	Mullen,	Stephens,
Brennan, J. J.,	Holt,	Munley,	Stone,
Breth,	Horst,	Murphy,	Stoner,
Bucchin,	Houk,	Murray, H. P.,	Strausser,
Bullen,	Isaacs,	Murray, J. J.,	Stroup,
Capano,	Jenkins,	Musto,	Swartz,
Cianfrani,	Johnson,	Naugle,	Taylor,
Cioffi,	Jones, G. E.,	Needham,	Thomas,
Cochran,	Jones, T. H. W.,	Ogilvie,	Toll,
Comer,	Jump,	Olsen,	Varner,
Connelly,	Kamyk,	O'Neil,	Vaughan,
Curwood,	Kehler,	Pacchioli,	Wall,
Donahue,	Kolankiewicz,	Paulhamus,	Walsh,
Dougherty,	Kooker,	Petrosky,	Wargo,
Down,	Kornick,	Pettigrew,	Waterhouse,
Ehrgood,	Kromer,	Polaski,	Welsh,
Eshleman,	Kubacki,	Polen,	Wescott,
Ewing,	Lafore,	Price,	Wheeler,
Farabaugh,	Leiby,	Pursley,	Whitenight,
Filo,	Leonard,	Readinger,	Williams,
Fineman,	Leven,	Reibman,	Willaredt,
Flint,	Limper,	Reidenbach,	Worley,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Lovett,	Rigby,	Yetzer,
Frank,	Lutty,	Rosen,	Young,
Frascella,	Magee,	Rovansek,	Andrews,
Gaffney,	Markley,	Rubin,	Speaker
Garlock,	Maxwell,		

NAYS—22

Agnew,	Erb,	Lippincott,	Tompkins,
Ashton,	Frost,	Mahan,	Toomey,
Auker,	Gibb,	Miller,	Weidner,
Brown,	Gibson,	Stevenson,	Wilt,
Davis,	Gramlich,	Thompson,	Wood,
Donaldson,	Leisey,		

NOT VOTING—26

Blair,	Keller,	McInroy,	Pomeroy,
Branca,	Kent,	McKeever,	Spencer,
Brenninger,	Kline,	Moscrip,	Varallo,
Cooper,	Knecht,	Muldowney,	Verona,
Eilberg,	Kratz,	Murray, P. G.,	Wallace,
Foster,	Lawyer,	Parry,	Ziegler,
Hewitt,	Light,	Pashley,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk preesnt the same to the Senate for concurrence.

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, being House Bill No. 1055 Printer's No. 930 on page 9 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1055 as follows:

An Act Repealing section 208.1 act of December 5 1936 (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" prohibiting the granting of regular employe status in the classified service to certain personnel

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 208.1 act of December 5 1936 (1937 P. L. 2897) known as the "Unemployment Compensation Law" aded August 24 1953 (P. L. 1397) is repealed

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Adam,	Frascella,	McLaughlin,	Rovansek,
Amarando,	Gaffney,	McWherter,	Rudisill,
Anderson, M. S.,	Garlock,	Meholchick,	Sarraf,
Anderson, S. A.,	Gelfand,	Mihm,	Scarcelli,
Barnatovich,	Guss,	Mikula,	Schuster,
Bazin,	Hamilton, R. K.,	Mills,	Sherman,
Boies,	Hass,	Monroe,	Smith, Wm. B.,
Bonner,	Heavey,	Moran,	Snider,
Boory,	Holt,	Mullen,	Stank,
Brennan, A. P.,	Jenkins,	Munley,	Stebbins,
Brennan, J. J.,	Jones, G. E.,	Murphy,	Stephens,
Breth,	Jump,	Murray, J. J.,	Stone,
Bucchin,	Kamyk,	Musto,	Swartz,
Capano,	Kolankiewicz,	Needham,	Taylor,
Cianfrani,	Kornick,	Olsen,	Thomas,
Cioffi,	Kubacki,	O'Neil,	Toll,
Cochran,	Leiby,	Pacchioli,	Vaughan,
Comer,	Leonard,	Paulhamus,	Walsh,
Curwood,	Leven,	Petrosky,	Wargo,

Davis,	Limper,	Pettigrew,	Welsh,
Dougherty,	Lopresti,	Polaski,	Wheeler,
Farabaugh,	Lovett,	Polen,	Whitenight,
Filo,	Lutty,	Readinger,	Williams,
Fineman,	Markley,	Reibman,	Worley,
Flint,	Maxwell,	Reidenbach,	Yetter,
Floyd,	McCann,	Renwick,	Yetzer,
Flynn,	McCormack,	Rigby,	Andrews,
Frank,	McGee,	Rosen,	Speaker

NAYS—62

Agnew,	George,	Kehler,	Stevenson,
Ashton,	Gibb,	Kooker,	Stoner,
Auker,	Gibson,	Leisey,	Strausser,
Banker,	Goldstein,	Magee,	Stroup,
Bell,	Gramlich,	Mahan,	Thompson,
Bower,	Greenwood,	Metz,	Toomey,
Breisch,	Guthrie,	Miller,	Varner,
Brown,	Hamilton, W. H.,	Moody,	Wall,
Donahue,	Haudenshield,	Murray, H. P.,	Waterhouse,
Donaldson,	Helm,	Naugle,	Weidner,
Down,	Henzel,	Ogilvie,	Wescott,
Ehrgood,	Hocker,	Price,	Willaredt,
Erb,	Horst,	Pursley,	Wilt,
Eshleman,	Houk,	Smith, C. C.,	Wood,
Ewing,	Isaacs,	Steckel,	Young,
Frost,	Jones, T. H. W.,		

NOT VOTING—37

Blair,	Johnson,	Light,	Pomeroy,
Branca,	Keller,	Lippincott,	Royer,
Brenninger,	Kent,	McInroy,	Rubin,
Bullen,	Kline,	McKeever,	Sigman,
Connelly,	Knecht,	Moscrip,	Spencer,
Cooper,	Kratz,	Muldowney,	Tompkins,
Eilberg,	Kromer,	Murray, P. G.,	Varallo,
Foster,	Lafore,	Parry,	Verona,
Hewitt,	Lawyer,	Pashley,	Wallace,
			Ziegler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk preesnt the same to the Senate for concurrence.

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, being House Bill No. 1560, Printer's No. 1018 on page 11 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1560, as follows:

An Act to regulate the sale and distribution of commercial feeds in the Commonwealth of Pennsylvania conferring powers and imposing duties on the Department of Agriculture and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This shall be administered by the Department of Agriculture of the Commonwealth of Pennsylvania

Section 2 Definitions When used in this act

(a) The term "person" includes individual partnership corporation firm association and agent

(b) The term "distribute' means to offer for sale sell barter or otherwise supply commercial feeds

(c) The term "sell" or "sale' includes exchange

(d) The term "commercial feed" means all materials which are distributed for use as feed for animals including poultry other than man including all ingredients entering into commercial feed except

(1) Unmixed whole seeds or grains and meals made directly from the entire seeds

(2) Unground hay

(3) Whole or ground straw stover silage cobs and hulls when not mixed with other materials

(e) The term "brand" means the term design or trademark and other specific designation under which an individual commercial feed is distributed and sold

(f) The term "label" or "tag" means a display of written printed or graphic matter attached to or upon the container in which a commercial feed is distributed

(g) The term "ton" means a net weight of two thousand (2,000) pounds avoirdupois

(h) The term "percent" or "percentage" means percentage by weight

(i) The term "official sample" means any sample taken by the Secretary of Agriculture or his agent

Section 3 Registration (a) Each brand of commercial feed shall be registered by the manufacturer or importer with the Department of Agriculture before being offered for sale sold or otherwise distributed The application for registration shall be submitted to the Secretary of Agriculture on forms which he shall supply and shall be accompanied by a fee of five dollars ($5.00) per brand and by a label or tag or other printed matter describing the product Upon approval by the Secretary of Agriculture a copy of the registration shall be furnished to the applicant All registrations shall expire on the thirty-first day of December of each year The applicants shall include the following information

(1) The name and principal address of the person guaranteeing the commercial feed

(2) The name or the brand under which the commercial feed is to be sold

(3) The guaranteed analysis listing the minimum percentages of crude protein and crude fat and the maximum percentage of crude fiber except in case of products sold solely as mineral or vitamin supplements or combinations thereof in which case they need not show guarantees for protein fat and fiber

In the case of mineral feeds there shall be stated the maximum percentage of calcium (Ca), minimum percentage of phosphorus (P) and maximum percentage of salt (NaCl)

Other nutritional substances or elements determinable by laboratory methods may be guaranteed by permission of the Secretary of Agriculture When any such other items are guaranteed they shall be subject to inspection and analysis in accordance with methods and regulations prescribed by the Secretary of Agriculture

When the Secretary of Agriculture after holding a hearing finds that any claim for the presence of a specific nutritional substance including minerals vitamins or amino acids may be misleading unless specifically guaranteed as to the minimum quantity present or unless a specific minimum quantity of such substance is so present he may define the guarantee requirement or minimum quantity requirement that shall be present and include such definition or definitions in a definition of standards in the manner provided in section nine

(4) The name of each ingredient used in the commercial feed This statement shall show the official name of each ingredient which has been so defined by the Association of American Feed Control Officials or the common name of any ingredient not so defined

(b) A distributor shall not be required to register any brand of commercial feed which is already registered under this act by another person

(c) Changes in the guarantee of either chemical or ingredient composition of a commercial feed may be permitted provided satisfactory evidence is submitted showing that such changes would not impair the feeding value of the product for the purpose for which it is designed

(d) The Secretary of Agriculture is empowered to refuse registration of any application not in compliance with all of the provisions of this act and to cancel any registration when it is subsequently found to be in violation of any provision of this act or when he has satisfactory evidence that the registrant has used fraudulent or deceptive practices in attempted evasion of the provisions of the act or regulations thereunder Provided however That no registration shall be refused or cancelled until the registrant shall have been given opportunity to be heard before the Secretary of Agriculture

Section 4 Labeling (a) Any commercial feed offered for sale or sold or otherwise distributed in bags barrels or other containers shall have placed thereon or affixed thereto a label or tag upon which there appears in printed form in the English language the net weight and the in-

formation required by clauses (1) (2) (3) and (4) of subsection (a) of section three

(b) If commercial feed is distributed in bulk a written or printed statement of the net weight and the information required by clauses (1) (2) (3) and (4) of subsection (a) of section three shall accompany delivery and be furnished to the purchaser

Section 5 Feed Control Fees (a) In addition to initial annual registration fee of five dollars ($5.00) per brand each manufacturer or importer of commercial feeds shall pay annually to the Secretary of Agriculture for all commercial feeds offered for sale sold or otherwise distributed in this Commonwealth a feed control fee of five cents ($.05) per ton per brand of feed on all feeds distributed after December 31 1954 Provided That sales of commercial feeds (ingredients) to manufacturers or exchanges between them are hereby exempted from the feed control fee if the commercial feeds so sold are to be used solely in the manufacture of feeds which are registered and a declaration to this effect appears on the label Registration and control fees and fines when collected shall constitute a fund to be administered by the Secretary of Agriculture for the payment of the costs of inspection sampling analysis and other expenses necessary for the administration of this act

The Secretary of Agriculture is hereby authorized and empowered whenever he shall determine that the feed control fee provided in section five is yielding more than is required for feed control purposes to which the feed control fee is devoted to reduce the feed control fee for such period as he may deem necessary In the event that at any time after reduction of the feed control fee sufficient revenues are not being produced by the reduced fee the Secretary of Agriculture is empowered to restore in full or in part the feed control fee to such a rate as will in his judgement produce sufficient funds for control and enforcement of this act

(b) Payment of the feed control fee shall be evidenced by a statement under oath in due form of law of commercial feed distributed eogether with documents showing that fees corresponding to the tonnage were received by the Secretary of Agriculture Every manufacturer or importer who distributes commercial feed in this Commonwealth shall

(1) File not later than the last day of January of each year an annual statement under oath setting forth the number of net tons of commercial feeds distributed in the Commonwealth during the preceding twelve (12) monnth period which ended the thirty-first day of December and upon filing such statement shall pay the feed control fee at the rate stated in subsection (a) of this section

(2) Keep such records as may be necessary or required by the Secretary of Agriculture to indicate accurately the tonnage of commercial feed distributed in this Commonwealth The Secretary of Agriculture shall have the right to examine such records to verify statements of tonnage

Failure to make an accurate statement of tonnage or to pay the feed control fee or comply as provided herein shall constitute sufficient cause for the cancellation of all registrations on file for the distributor

Section 6 Adulteration No Person shall distribute an adulterated commercial feed A commercial feed shall be deemed to be adulterated

(a) When any poisonous deleterious or non-nutritive ingredient is present in sufficient amount to render it injurious to animal health

(b) When any valuable consistent has been in whole or part omitted or abstracted therefrom or any less valuable substance substituted therefor

(c) When its composition or quality falls below or differs from that which it is purported to be or is represented to possess

(d) When it contains added hulls screenings straw cobs or other high fiber material unless the name of each such material is clearly and prominently stated on the label

Section 7 Misbranding No person shall distribute misbranded feed A commercial feed shall be deemed to be misbranded

(a) When its labeling is false or misleading in any particular

(b) When it is distributed under the name of another feed

(c) When its container is not labeled as required in section four of this act and in regulations prescribed under this act

(d) When it purports to be or is represented as a commercial feed for which a definition of identity and standard of quality has been prescribed by a regulation issued by the Secretary of Agriculture unless it conforms to such definition and standard

(e) When any word statement or other information required by or under authority of this act to appear on the label or labeling is not prominently placed thereon with such conspicuousness as compared with other words statements designs or devices in the labeling and in such terms as to render it likely to be read and understood by the ordinary individual under customary condition of purchase and use

Section 8 Inspection Sampling Analysis (a) It shall be the duty of the Secretary of Agriculture who may act through his authorized agent to sample inspect make analyses of and test commercial feeds distributed within this Commonwealth at such time and place and to such an extent as he may deem necessary to determine whether such commercial feeds are in compliance with the provisions of this act The Secretary of Agriculture individually or through his agent is authorized to enter upon any public or private premises during regular business hours in order to have access to commercial feeds subject to the provisions of this act and the rules and regulations pertaining thereto

(b) The methods of sampling and analysis shall be those adopted by the Secretary of Agriculture

(c) The Scretary of Agriculture in determing for administrative purposes whether a commercial feed is deficient in any component shall be guided solely by the sample as defined in subsection (i) of section two and obtained and analyzed as provided for in subsection (b) of this section

(d) When the inspection and analysis of an official sample indicate a commercial feed has been adulterated or misbranded the results of analysis shall be forwarded by the Secretary of Agriculture to the distributor and to the manufacturer or importer

Section 9 Regulations Standards Definitions The Secretary of Agriculture is hereby charged with the enforcement of the act and after due publicity and due public hearing is empowered to adopt and promulgate such regulations standards and definitions as may be necessary to carry into effect the full intent and meaning of this act

Section 10 Detained Commercial Feeds Withdrawal From Sale (a) When the Secretary of Agriculture or his authorized agent has reasonable cause to believe a commercial feed is being distributed in violation of any of the provisions of this act or of any of the prescribed regulations under this act he may issue and enforce a written or printed "withdrawal from sale" order warning the distributor not to dispose of the feed in any manner until written permission is given by the Secretary of Agriculture or the court The Secretary of Agriculture shall release the commercial feed so withdrawn when the provisions and reguations have been complied with and all costs and expenses incurred in the withdrawal have been paid If compliance is not obtained within thirty (30) days the Secretary of Agriculture may begin proceedings for condemnation

(b) Condemnation and confiscation Any lot of commercial feed not in compliance with the provisions of this act shall be subject to seizure on complaint of the Secretary of Agriculture to a court of competent jurisdiction in the area in which said commercial feed is located In the event the court finds the said commercial feeds to be in violation of this act and orders the condemnation of said commercial feed it shall be disposed of in any manner consistent with the quality of the commercial feed and the laws of the State Provided That in no instance shall the disposition of said commercial feed be ordered by the court without first giving the claimant an opportunity to apply to the court for release of said commercial feed to bring it into compliance with this act

Section 11 Penalties Any person who shall violate any of the provisions of this act or any regulation or order made pursuant to this act shall for the first or second offense upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars ($50-.00) nor more than one hundred dollars ($100.00) and costs of prosecution and in default of payment of such fine and costs shall be sentenced to undergo imprisonment in the county jail for not more than thtirty (30) days and for a third or subsequent offense if three offenses including the last offense are committed within one year shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

Section 12 Publications The Secretary of Agriculture shall publish annually in such forms as he may deem proper information concerning the sales of commercial feeds together with such data on their production and use as he may consider advisable and a report of the results of the analyses of official samples of commercial feeds sold within the Commonwealth as compared with the analyses guaranteed in the registration and on the label Provided however That the information concerning production and use of commercial feeds shall not disclose the operations of any person

Section 13 Repealer The act approved the third day of May one thousand nine hundred nine (P. L. 395) entitled "An act regulating the sale of concentrated commercial feeding-stuffs also of condimental stock and poultry-food and patented proprietary or trade-mark stock and poultry-food possessing nutritive value combined with medicinal properties defining concentrated commercial feeding-stuffs prohibiting the adulteration of any feeding-stuffs sold offered or exposed for sale in this State with oat hulls ground corn cobs flax plant refuse elevator chaff cotton-seed hulls ground corn stalks rice hulls peanut hulls weed seeds or other similar adulterants providing for the collection of samples and analysis thereof by the Department of Agriculture and the publication of information concerning the same providing also for the expenses of the enforcement of the law fixing penalties for its violation and repealing act number two hundred and eleven (Pamphlet Laws one thousand nine hundred and seven page two hundred and seventy-three) entitled 'An act regulating the sale of wheat rye corn and buckwheat-bran and middlings or any admixture thereof' et cetera approved the twenty-eighth day of May one thousand nine hundred and seven" is hereby repealed

Section 14 This act shall become effective the first day of January one thousand nine hundred fifty-six

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—140

Adam,	Frank,	McCormack,	Rudisill,
Agnew,	Frascella,	McGee,	Sarraf,
Amarando,	Frost,	McLaughlin,	Scarcelli,
Anderson, M. S.,	Gaffney,	McWherter,	Schuster,
Anderson, S. A.,	Garlock,	Meholchick,	Sherman,
Auker,	Gelfand,	Mihm,	Smith, C. C.,
Banker,	Greenwood,	Mikula,	Smith, Wm. B.,
Barnatovich,	Guss,	Mills,	Snider,
Bazin,	Hamilton, R. K.,	Monroe,	Stank,
Bell,	Hamilton, W. H.,	Moody,	Stebbins,
Boles,	Hass,	Moran,	Stephens,
Bonner,	Heavey,	Mullen,	Stone,
Boory,	Henzel,	Munley,	Stoner,
Breisch,	Hocker,	Murphy,	Strausser,
Brennan, A. P.,	Holt,	Murray, H. P.,	Swartz,
Brennan, J. J.,	Isaacs,	Murray, J. J.,	Taylor,
Breth,	Jenkins,	Musto,	Thomas,
Bucchin,	Jones, G. E.,	Needham,	Thompson,
Bullen,	Jones, T. H. W.,	Ogilvie,	Toll,
Capano,	Jump,	Olsen,	Toomey,
Cianfrani,	Kamyk,	O'Neil,	Vaughan,
Cioffi,	Kolankiewicz,	Pacchioli,	Walsh,
Cochran,	Kornick,	Paulhamus,	Wargo,
Comer,	Kubacki	Petrosky,	Weidner,
Connelly,	Lafore,	Pettigrew,	Welsh,
Curwood,	Leiby,	Polaski,	Wescott,
Dougherty,	Leonard,	Polen,	Wheeler,
Erb,	Leven,	Price,	Whitenight,
Ewing,	Limper,	Readinger,	Willaredt,
Farabaugh,	Lopresti,	Reibman,	Williams,
Filo,	Lovett,	Reidenbach,	Wood,
Fineman,	Lutty,	Renwick,	Worley,
Flint,	Markley,	Rigby,	Yetter,
Floyd,	Maxwell,	Rosen,	Yetzer,
Flynn,	McCann,	Rovansek,	Andrews, Speaker

NAYS—33

Ashton,	Gibb,	Johnson,	Pursley,
Bower,	Goldstein,	Kehler,	Steckel,
Brown,	Gramlich,	Kooker,	Stevenson,
Davis,	Guthrie,	Kromer,	Stroup,
Donahue,	Haudenshield,	Leisey,	Varner,
Donaldson,	Helm,	Mahan,	Wall,
Down,	Horst,	Metz,	Wilt,
Ehrgood,	Houk,	Miller,	Young,
Eshleman,			

NOT VOTING—37

Blair,	Kent,	McKeever,	Rubin,
Branca,	Kline,	Moscrip,	Sigman,
Brenninger,	Knecht,	Muldowney,	Spencer,
Cooper,	Kratz,	Murray, P. G.,	Tompkins,
Eilberg,	Lawyer,	Naugle,	Varallo,
Foster,	Light,	Parry,	Verona,
George,	Lippincott,	Pashley,	Wallace,
Gibson,	Magee,	Pomeroy,	Waterhouse,
Hewitt,	McInroy,	Royer,	Ziegler,
Keller,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, being House Bill No. 1718 Printer's No. 1012 on page 14 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1718 as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number of compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making further provisions relating to a quorum and the duties of deputies of the State Athletic Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-nine (Pamphlet Laws 776) is hereby further amended to read as follows

Section 427 State Athletic Commission The State Athletic Commission shall consist of three members who shall be appointed for terms of two years and the Secretary of Revenue ex officio

Each member of the commission except the Secretary of Revenue and the chairman shall receive a salary of seven thousand dollars per annum and the chairman shall receive a salary of seven thousand five hundred dollars per annum

Two members of the commission shall constitute a quorum and the concurrence of at least two members of the commission shall be necessary to render valid action by the commission except as otherwise provided by law

The commission may appoint such number of deputies as shall be approved by the Executive Board whose compensation shall be fixed by the commission with the approval of the Governor who shall perform such duties and exercise such authority as shall be assigned and delegated to them by the commission

The commission may with the approval of the Secretary of Revenue appoint a secretary who shall receive a salary to be fixed by the commission with the approval of the Governor

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. VARNER. Mr. Speaker, I wonder if I can interrogate one of the sponsors of this bill or anyone on the other side who knows something about it?

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. FRANK. I shall, Mr. Speaker.

Mr. VARNER. Mr. Speaker, I would like to have the gentleman tell me just what this bill attempts to accomplish?

Mr. FRANK. Mr. Speaker, this act amends the code which the State Athletic Commission just recently had passed. It is a companion bill to the original boxing code which was just passed by the Senate and signed by the Governor. It gives power to the deputies to do whatever the Commission may give them authority to do, whatever the duties may be, whatever they may be assigned to do.

Mr. VARNER. Mr. Speaker, how many deputies will there be under the provisions of this bill?

Mr. FRANK. Mr. Speaker, I really do not know. I cannot answer that question.

Mr. VARNER. Mr. Speaker, how many Commissioners are there?

Mr. FRANK. Mr. Speaker, there are three boxing Commissioners.

Mr. VARNER. Mr. Speaker, can the gentleman tell me how many boxing matches have been held in Pennsylvania since the new boxing code has been passed?

Mr. FRANK. Very few, Mr. Speaker.

Mr. VARNER. Mr. Speaker, I am not entirely satisfied with the gentleman's explanation, but I would like to make this remark on the bill.

I have finished with the interrogation of Mr. Frank.

Mr. Speaker, I notice by today's paper, the Pittsburgh Post-Gazette, that the Boxing Commission is now out looking for promoters and I think the code which was passed here to which this is an amendment, has just about put crooked boxing, as the Governor so often referred to it out of business in Pennsylvania. We are not going to have any kind of boxing under the code and I do not see any need for this bill.

Mr. GOLDSTEIN. Mr. Speaker, I would like to interrogate Mr. Frank, concerning this bill.

The SPEAKER. Will the gentleman from Lehigh, Mr. Frank, permit himself to be further interrogated?

Mr. FRANK. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, this bill states that the Commissioners shall assign such duties to the deputies as they may deem proper in their discretion. What is the meaning and import of that phrase?

Mr. FRANK. Mr. Speaker, according to the phraseology I would say in case they would assign these deputies to come into, let's say, Allegheny where there is a fight, it is up to them to see that everything is in order as far as the inspectors or the officials are concerned or whatever is connected with that particular boxing event.

Mr. GOLDSTEIN. Mr. Speaker, does the gentleman not know that that is the law today?

Mr. FRANK. Mr. Speaker, it always has been the law, but it gives them a little more power in case they may have to stop the fight or there is something crooked with the bout.

Mr. GOLDSTEIN. Mr. Speaker, will the gentleman state that the purpose of this bill is not to give the deputies such broad powers that the Commissioners themselves will have no work to do at all?

Mr. FRANK. Mr. Speaker, I cannot answer that. I do not know exactly how much work they do. I do not know how much was done in the prior years.

Mr. GOLDSTEIN. Mr. Speaker, is it possible under this bill that the entire duties of the Commission with all discretionary powers will be handled by deputies?

Mr. FRANK. Mr. Speaker, they always have been handled by deputies.

Mr. GOLDSTEIN. Mr. Speaker, is it true under the present bill the deputies have all the discretionary power or only directory power?

Mr. FRANK. Mr. Speaker, I cannot answer that because I am not up on that.

Mr. GOLDSTEIN. Mr. Speaker, it seems to me that the net result of this bill will be that the duties of the

Commissioners, who are receiving an ample salary for doing practically no work at all will devolve upon political appointees throughout the state who will have the responsibility without the title. Under this bill were there an important match in Philadelphia or an important match in the city of Pittsburgh the entire discretion as to the operation of the fight would be in the hands of the deputy.

I feel this bill is entirely unnecessary. The limited powers of the deputy should be continued as of today, and the Commissioners who are getting ample salary should be on the job and do it whenever they are called upon.

Mr. TOLL. Mr. Speaker, while listening to the remarks by our learned colleague from Allegheny County, I had an opportunity to interrogate my worthy colleague who sits alongside of me to the rigth, the Honorable Albert Leven, who years ago was a deputy boxing commissioner. He informed me that the deputy boxing commissioner has a lot of duties to perform. As a matter of fact, he says on a big fight they may have as many as three or four or five, deputy boxing commissioners attend. One is up front to see that the bout is conducted in an orderly manner, and some of them may be posted in various portions of the place where the boxing match is held to see to it that the Commonwealth of Pennsylvania is amply protected with regard to admissions and things of that nature.

In view of the experience of our learned friend, I think everybody in the House should vote for this bill because it seems to me these men have very important duties to perform.

Mr. READINGER. Mr. Speaker, I think I should get in this battle too.

The bill before us is absurdly simple in its composition. On page 4 the only amendments made are amendments to the Administrative Code of 1929, as amended in 1949.

As Mr. Frank has stated, it is a companion bill to the boxing code which was passed earlier this session. The only important change I can see in this bill is on page 4, line 11, where the words are added to the present law about the commission appointing such number of deputies as shall be approved by the executive board. That has been the law. These deputies are then given crtain powers in these words "who shall perform such duties and exercise such authority as shall be assigned and delegated to them by the commission."

If the gentleman from Allegheny, Mr. Goldstein, wants this House to believe that the three commissioners who have been appointed to this Athletic Commission are not going to do any work, but assign all of their duties to somebody else, then I think he does not understand the pride that a man takes in a position of that kind. Certainly there are many duties which no commission of three could possibly perform, and those are the duties they will assign. I think we can assume that the three good Commissioners whoever they are, will retain the work for themselves which they rightfully know should be done by them and not by any deputy.

I think we are boxing with shadows here and talking about a lot of things which will never happen. This bill should be passed.

Mr. GOLDSTEIN. Mr. Speaker, in reply to the amiable Majority Leader I would like to say that I am familiar with boxing. I believe I have covered more boxing bouts than Mr. Readinger did in his time. I know that the deputy commissioners have certain duties to perform, but I know that today there is no need for these deputy commissioners, we have no fights today and we are not going to have any.

I still insist that a bill now in Committee whereby the boxing commission should be eliminated is the answer to this and that is the reason I do not want this to be overloaded with deputies who are nothing but political appointees. They were political appointees under the Republican administration, and the Democrats are trying to continue the same thing. Because we were wrong in our administration is no reason why you should give additional powers to these deputies under your administration.

Mr. VAUGHAN. Mr. Speaker, I suggest that we quit the shadow boxing, ring the bell and let's get on with this fight.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—128

Adam,	Frank,	Magee,	Rovansek,
Amarando,	Frascella,	Markley,	Sarraf,
Anderson, M. S.,	Frost,	McCann,	Scarcelli,
Anderson, S. A.,	Gaffney,	McCormack,	Schuster,
Ashton,	Garlock,	McGee,	Sherman,
Barnatovich,	Gelfand,	McLaughlin,	Smith, C. C.,
Bazin,	Guss,	McWherter,	Smith, Wm. B.,
Boies,	Hamilton, R. K.,	Meholchick,	Snider,
Bonner,	Hamilton, W. H.,	Mihm,	Stank,
Boory,	Hass,	Monroe,	Stebbins,
Brennan, A. P.,	Heavey,	Moody,	Stephens,
Brennan, J. J.,	Henzel,	Moran,	Stone,
Breth,	Holt,	Munley,	Stoner,
Brown,	Houk,	Murphy,	Strausser,
Bucchin,	Jenkins,	Musto,	Swartz,
Bullen,	Jones, G. E.,	Needham,	Taylor,
Capano,	Jones, T. H. W.,	Ogilvie,	Thomas,
Cianfrani,	Jump,	Olsen,	Toll,
Cioffi,	Kamyk,	O'Neil,	Vaughan,
Cochran,	Kolankiewicz,	Pacchioli,	Wall,
Comer,	Kooker,	Paulhamus,	Walsh,
Connelly,	Kornick,	Petrosky,	Wargo,
Curwood,	Kubacki	Pettigrew,	Welsh,
Davis,	Leiby,	Polaski,	Wheeler,
Donahue,	Leisey,	Polen,	Whitenight,
Dougherty,	Leonard,	Price,	Willaredt,
Down,	Leven,	Readinger,	Williams,
Farabaugh,	Limper,	Reibman,	Worley,
Filo,	Lippincott,	Reidenbach,	Yetter,
Fineman,	Lopresti,	Renwick,	Yetzer,
Flint,	Lovett,	Rigby,	Andrews,
Floyd,	Lutty,	Rosen,	Speaker
Flynn,			

NAYS—32

Agnew,	Ewing,	Helm,	Thompson,
Auker,	Gibb,	Hocker,	Toomey,
Banker,	Gibson,	Mahan,	Varner,
Bell,	Goldstein,	Miller,	Waterhouse,
Bower,	Gramlich,	Murray, H. P.,	Wescott,
Breisch,	Greenwood,	Pursley,	Wilt,
Donaldson,	Guthrie,	Stevenson,	Wood,
Erb,	Haudenshield,	Stroup,	Young,

NOT VOTING—50

Blair,	Kehler,	Metz,	Royer,
Branca,	Keller,	Mikula,	Rubin,
Brenninger,	Kent,	Mills,	Rudisill,
Cooper,	Kline,	Moscrip,	Sigman,
Ehrgood,	Knecht,	Muldowney,	Spencer,
Eilberg,	Kratz,	Mullen,	Steckel,

Eshleman,	Kromer,	Murray, J. J.,	Tompkins,
Foster,	Lafore,	Murray, P. G.,	Varallo,
George,	Lawyer,	Naugle,	Verona,
Hewitt,	Light,	Parry,	Wallace,
Horst,	Maxwell,	Pashley,	Weidner,
Isaacs,	McInroy,	Pomeroy,	Ziegler,
Johnson,	McKeever,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, being House Bill No. 1794 Printer's No. 998 on page 21 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1794 as follows:

An Act amending the act of September 26 1951 (P. L. 1536) entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged conferring certain powers and duties upon the Department of Welfare imposing license fees and providing penalties" further providing for refusal to grant refusal to renew and revocation of licenses changing definition of commercial boarding homes and changing license fees and penalty provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section 2 and sections 4 7 and 8 act of September 26 1951 (P. L. 1536) entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged conferring certain powers and duties upon the Department of Welfare imposing license fees and providing penalties" are amended to read

Section 2 Definitions As used in this act

(a) "Commercial boarding home for the aged" shall mean any [institution however named which is operated for profit and advertised announced or maintained for the express or implied purpose of providing service or domiciliary care for three or more elderly people who are not ill or in need of nursing care] domiciliary facility not a medical care facility operated for profit and advertised announced or maintained for the purpose of providing lodging board and a minimum of personal services to normally healthy persons capable of self-care and whose immediate need is not supervision or medical care within the home in case of illness it may or may not provide incidental temporary limited medical home care such as an individual might receive in his own home

Section 4 Any person or any or all officers or partners of any partnership association or corporation maintaining or operating for profit within this Commonwealth a commercial boarding home for the aged without a license required by this act shall [be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or to undergo imprisonment not exceeding one year or both] upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty-five dollars ($25) nor more than three hundred dollars ($300) and costs of prosecution and in default of the payment thereof to undergo imprisonment for not less than ten days nor more than thirty days Each day of maintaining or operating a commercial boarding home for the aged with out a license required by this act shall constitute a separate and distinct offense in violation in the terms of this act

No person who because of inability to satisfy the character requirements deemed necessary by the department has been refused a license shall thereafter be in any way connected with any commercial boarding home for the aged licensed pursuant to the provisions of this act

Section 7 Whenever the Department of Welfare shall upon inspection investigation or sworn complaint learn of any violation of rules or regulations adopted by the department or any failure to establish provide or maintain standards and facilities required by the department it shall give written notice thereof to the offending licensee [The department may revoke the license of said license if such violations do not case or such standards and facilities are not established or brought in conformity with those prescribed by the department two months after such written notice] The department shall refuse to grant refuse to renew or revoke a license of any applicant or licensee whether originally granted under this act or any other act for the following reasons

1 Violation of or non-compliance with the provisions of this act or the rules and regulations pursuant thereto

2 The practice of any fraud or deceit in obtaining or attempting to obtain a license

3 Gross incompetency negligence or misconduct in the carrying on of the business

4 Loaning borrowing or using a license of another or knowingly aiding or abetting in any way the granting of improper licenses

5 The use of misleading advertising

6 Soliciting patronage other than by legitimate advertising

Section 8 The Department of Welfare shall when satisfied that the applicant or applicants for such license are proper and responsible persons that the place sought to be used as a commercial boarding home for the aged is a suitable place for such purpose and is properly equipped therefor and when all the requirements of this act and the rules and regulations of the department have been complied with issue a license to the applicant upon the payment of a license fee [of ten dollars ($10.00) which shall be paid] as follows Under twenty-five (25) beds ten dollars ($10) twenty-five (25) beds or over twenty-five dollars ($25) into the State Treasury through the Department of Revenue

All licenses issued by the department under this act shall expire one year next following the day on which issued shall be on a form prescribed by the department shall not be transferable shall be issued only for the premises named in the application shall be posted in a conspicuous place on the applicant's premises and may be renewed from year to year upon application investigation and payment of license fee as in the procurement of an original license

Section 2 This act shall take effect immediately

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. Mr. Speaker, before voting on this bill I would like to interrogate the sponsor or the Majority Leader.

The SPEAKER. Will the gentleman from Allegheny, Mr. Kamyk, permit himself to be interrogated?

Mr. KAMYK. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, this act amends the Act regulating and licensing of commercial boarding homes for the aged.

Section 4 of this bill amends the provisions that provide in effect that anyone within the Commonwealth operating a commercial home for the aged without a license be sentenced to serve one year imprisonment or up to a thousand dollars fine or both. The present amendment to this section makes it merely a summary offense and provides for a fine of not less than twenty-five dollars nor more than three hundred dollars, or in defaut of the payment of the fine a sentence of not less than 10 days nor more than 30.

Now, I would like to know what is the reason for this particular amendment.

Mr. KAMYK. Mr. Speaker, this is a departmental bill. It came from the Department of Welfare. This Act was passed in 1951 and during this time probably certain things happened where the Department saw fit to make the changes.

For instance, when a law is broken because somebody is operating one of these homes and does not have a license, he may be doing it in a small way and he may be doing it in a big way. So this bill gives a lot of territory to cover because each day that a person or corporation operates such a home without a license, is considered a separate offense. However, I believe that under this provision a person can be fined $25, not less than $25 and not more than $300 for each separate offense. In other words, if he makes a lot of money illegally, that can be taken away from him because he has broken the law, because he did not operate with a license.

Mr. McCORMACK. Mr. Speaker, Section 7 of this bill provides that in the event of a violation of the provisions a license shall be revoked or not issued for the following reasons number three of which is: "gross imcompetency, negligence or misconduct in the operating of the business." Now, I am wondering whether or not they are sufficiently defined standards?

Mr. KAMYK. Mr. Speaker, the gentleman wonders what?

Mr. McCORMACK. Mr. Speaker, I am wondering whether subsection 3 of Section 7 of this Act is sufficiently defined. In other words, is that clear enough to the operators of the homes? Is there any definition as to just what "gross incompetency," or "negligence" or "mismanagement" is?

Mr. KAMYK. Mr. Speaker, I think that it is sufficiently defined. However, if the appliance of this definition might be disagreeable to somebody who is found incompetent through negligence or misconduct, then it would be up to the courts to decide as to what constitute "gross negligence" or "misconduct" I think.

Mr. McCORMACK. Mr. Speaker, it is not up to the courts to define it. It is up to the Department of Welfare. This bill is giving the Department of Welfare the power to revoke a present license or the power to refuse to issue a license, or to reinstate a license.

Mr. KAMYK. That is true, Mr. Speaker, but I believe the courts will have the final say.

Mr. McCORMACK. Mr. Speaker, subsection 5 of Section 7 of this Act provides that the license shall be revoked of any person who, in effect, uses misleading advertising. Now is there any definition in the Act as to just what "misleading advertising" is?

Mr. KAMYK. Mr. Speaker, I do not believe there is. If it is misleading advertising, then it is wrong. If you advertise something else than what you offer, then you are wrong, so that is misleading advertising.

Mr. McCORMACK. Mr. Speaker, one more question. Subsection 6, I believe of Section 7, also provides that a license shall be refused or revoked where a person solicits patronage by "illegitimate advertising." Now, nowhere in the bill is there any definition as to what "illegitimate advertising" or "legitimate advertising" is. I think perhaps, that could be more clearly defined. Could the gentleman give me any help on that?

Mr. KAMYK. Mr. Speaker, it is just what it says. "Soliciting patronage other than by legitimate advertising."

Mr. McCORMACK. Mr. Speaker, the bill does not state what is "legitimate" and what is "illegitimate" advertising. Is that correct? There is no definition in there?

Mr. KAMYK. Mr. Speaker, the bill doesn't say it, but if it is illegitimate advertising, then he would have his license revoked.

Mr. McCORMACK. May I ask one more question, Mr. Speaker? Did the Department of Welfare send over a memorandum with this bill?

Mr. KAMYK. Mr. Speaker, I didn't see any memorandum.

Mr. McCORMACK. Mr. Speaker, because of the fact that a bill comes over from the Department of Welfare or any other department, I don't think we can vote on it unless there is some explanation of it. This bill I think, is very poorly drawin and I think unless somebody explains it satisfactorily to me, I am going to have to vote against it in its present form.

Mr. STROUP. Mr. Speaker. I don't want to unduly prolong the debate on this question, but I would like to direct the attention of the Members of the House to the definition as it has been changed and amended by this bill. Rather than now having a "home for the aged" you have included all boarding and lodging homes for normally healthy persons. This bill can reach into every lodging and boarding house in the Commonwealth and bring it under its entire scope. I think that should definitely be brought into our consideration. It is no longer just a home for the aged; it is all boarding and lodging houses providing homes throughout the Commonwealth.

Mr. KAMYK. Mr. Speaker, in reference to the last remark, the definition is changed for the sole purpose to distinguish between a commercial boarding home for the aged and something that might be a hospital. For instance, the definition reads in this manner: "domiciliary facility not medical-care facility, operated for profit and advertised." I don't think I have to go any further. To be such a home it will have to be advertised and operated for profit, so that does not take in everything.

Personally I think it is a good bill for this reason. In 1951 we passed the original bill on the subject and since that time the Department of Welfare had a chance to study the whole situation and I think all the amendments in the present bill were sufficiently studied and I think the Act itself will be improved. For that reason, not to take any more time of the House, I ask the ladies and gentlemen of the House to vote for this bill.

Mr. STROUP. I think you will find that this act is inconsistent in so far as its heading is concerned, in relation to the definition. There is absolutely no question but what it throws itself widely open under its definition now as a domiciliary facility, not as a medical-care facility, operated for profit, and advertised or maintained for normal healthy persons. There is no question but what it reaches into all types of lodging and boarding homes.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

—YEAS—85

Adam,	Frank,	Markley,	Scarcelli,
Anderson, M. S.,	Frascella,	McCann,	Schuster,
Anderson, S. A.,	Gaffney,	McLaughlin,	Sherman,
Barnatovich,	Garlock,	McWherter,	Smith, Wm. B.,
Bazin,	Gelfand,	Meholchick,	Snider,
Boles,	Guss,	Mihm,	Stank,
Bonner,	Hamilton, R. K.,	Monroe,	Stebbins,
Boory,	Hass,	Moran,	Stephens,
Brennan, A. P.,	Heavey,	Munley,	Stone,
Brennan, J. J.,	Henzel,	Olsen,	Swartz,
Breth,	Jenkins,	Pacchioli,	Taylor,
Bucchin,	Jones, T. H. W.,	Paulhamus,	Thomas,
Capano,	Kolankiewicz,	Petrosky,	Walsh,
Cioffi,	Kornick,	Pettigrew,	Wargo,
Cochran,	Kubacki	Polaski,	Welsh,
Curwood,	Leiby,	Polen,	Wheeler,
Dougherty,	Leonard,	Readinger,	Whitenight,
Filo,	Leven,	Reibman,	Willaredt,
Fineman,	Limper,	Reidenbach,	Williams,
Flint,	Lovett,	Renwick,	Yetter,
Floyd,	Lutty,	Sarraf,	Yetzer,
Flynn,			

NAYS—58

Ashton,	Frost,	Lopresti,	Strausser,
Auker,	George,	Mahan,	Stroup,
Banker,	Gibb,	Metz,	Thompson,
Bell,	Gibson,	Miller,	Toll,
Brown,	Goldstein,	Moody,	Toomey,
Bullen,	Gramlich,	Murphy,	Varner,
Comer,	Greenwood,	Murray, H. P.,	Vaughan,
Connelly,	Haudenshield,	Ogilvie,	Wall,
Davis,	Hocker,	O'Neil,	Wilt,
Donahue,	Isaacs,	Price,	Wood,
Donaldson,	Johnson,	Pursley,	Worley,
Down,	Jump,	Rigby,	Young,
Erb,	Kamyk,	Rovansek,	Andrews,
Ewing,	Leisey,	Smith, C. C.,	Speaker
Farabaugh,	Lippincott,	Stevenson,	

NOT VOTING—67

Agnew,	Holt,	McCormack,	Rosen,
Amarando,	Horst,	McGee,	Royer,
Blair,	Houk,	McInroy,	Rubin,
Bower,	Jones, G. E.,	McKeever,	Rudisill,
Branca,	Kehler,	Mikula,	Sigman,
Breisch,	Keller,	Mills,	Spencer,
Brenninger,	Kent,	Moscrip,	Steckel,
Cianfrani,	Kline,	Muldowney,	Stoner,
Cooper,	Knecht,	Mullen,	Tompkins,
Ehrgood,	Kooker,	Murray, J. J.,	Varallo,
Eilberg,	Kratz,	Murray, P. G.,	Verona,
Eshleman,	Kromer,	Musto,	Wallace,
Foster,	Lafore,	Naugle,	Waterhouse,
Guthrie,	Lawyer,	Needham,	Weidner,
Hamilton, W. H.,	Light,	Parry,	Wescott,
Helm,	Magee,	Pashley,	Ziegler,
Hewitt,	Maxwell,	Pomeroy,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS PASSED OVER

The SPEAKER. If there is no objection, all other bills on today's calendar will be passed over. The Chair hears none.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, more than a week ago every Member of this House received a letter urging them to be present today and tomorrow for two full working days. We stated in that letter that there were approximately sixty bills on the calendar which should be attended to, and I am rather proud of the attendance we had today.

I do want the Membership to know, and I hope the absentees may read it in the newspapers, that we are going to call the roll tomorrow, we are going to bring up controversial bills and whatever happens to them, happens to them. If some of them go down which are important to my side of the House, those who are absent without leave can bear the blame for its happening.

I hope all of you who are here today, will be back tomorrow and I certainly hope that some of the absentees who saw fit not to come today will see fit to be here tomorrow.

COMMITTEE MEETINGS

Agriculture and Dairy Industries, Mr. Snider, Chairman, Room 331, Friday, October 14, at 10: a.m.

Banking and Building and Loan Associations, Mr. Olsen, Chairman, Room 330, Friday, October 14, at 10:30 a.m.

Judiciary, Mr. Lopresti, Chairman, Room 145, Friday, October 14, at 9:30 a.m.

Mines and Mining, Mr. Williams, Chairman, Room 323, Friday, October 14, at 10:30 a.m.

Motor Vehicles, Mr. Amarando, Chairman, Room 522, Friday, October 14, at 10:45 a.m.

State Government, Mr. Polaski, Chairman, Room 324, Friday, October 14, at 9:30 a.m.

All Times are Daylight Saving Time.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that this House do now adjourn until Friday, October 14, 1955 at 10:00 a.m. EST.

The motion was agreed to and (at 7:02 p.m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., FRIDAY, OCTOBER 14, 1955. No. 102.

SENATE

FRIDAY, October 14, 1955.

The Senate met at 9:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

In the absence of the Chaplain, the following prayer was offered by the gentleman from Lancaster, Mr. KESSLER:

O God, our Heavenly Father, we thank Thee for this privilege of getting together here again today to transact the business of the Commonwealth. We want to do the right thing, but we often stumble. We know Thy laws are inflexible and as we continually try to apply them, help us in our deliberations today that we may do the right thing. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WADE and Mr. DIEHM, further reading was dispensed with, and the Journal was approved.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

WORKMEN5S COMPENSATION REFEREE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate John R. Lehahan, 1220 Gibson Street, Scranton, Lackawanna County, for appointment as Workmen's Compensation Referee, to serve until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified, vice David W. Phillips, Scranton, deceased.

GEORGE M. LEADER.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 1055, entitled:

An Act repealing section 208.1 act of December 5 1936 (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" prohibiting the granting of regular employe status in the classified service to certain personnel

Which was committed to the Committee on Labor and Industry.

House Bill No. 1209, entitled:

An Act prohibiting discrmination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry prescribing penalties and making an appropriation

Which was committed to the Committee on Labor and Industry.

House Bill No. 1268, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "Vehicle Code," changing provisions relating to disposition of certain fiines and penalties.

Which was committed to the Committee on Highways.

House Bill No. 1560, entitled:

An Act to regulate the sale and distribution of commercial feeds in the Commonwealth of Pennsylvania conferring powers and imposing duties on the Department of Agriculture and prescribing penalties

Which was committed to the Committee on Agriculture.

House Bill No. 1618, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the

Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commisisons, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers; and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," prescribing powers and duties of the Department of Welfare with respect to juveniles.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1718, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making further provisions relating to a quorum and the duties of deputies of the State Athletic Commission

Which was committed to the Committee on State Government.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 172, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," requiring the Pennsylvania Game Commission to pay unrecovered costs of suit.

House Bill No. 459, entitled:

An Act prohibiting operation of boats having a manufacturer's horsepower rating in excess of seven and one-half on Quaker Lake, in Susquehanna County.

House Bill No. 656, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "General Borough Act" increasing the maximum compensation payable to councilmen in boroughs whose population is more than five thousand.

House Bill No. 680, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to sell and convey 84.69 acres, more or less, of land, situate in Butler Township, Adams County.

House Bill No. 682, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," changing salaries of district attorneys in counties of the sixth class.

House Bill No. 925, entitled:

An Act amending the act of July 29, 1953 (P. L. 1050), entitled, "The Intra-State Tunnel Revenue Bond Act," changing the method of procedure by the commission; authorizing the Department of Highways to acquire land and interests therein for the commission and to grant the right to use the same; and validating prior grants.

House Bill No. 1050, entitled:

An Act amending the act of May 13, 1927 (P. L. 982) entitled "An act relating to the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court of any county of this Commonwealth having a population of one million five hundred thousand or over providing for the salaries and compensation of the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court deputies clerks and employes thereof" increasing compensation of the clerk of the court of oyer and terminer quarter sessions of the peace and of the municipal court and repealing certain legislation.

House Bill No. 1173, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "Third Class City Law," permitting contributors to the police pension fund to withdraw their increment contributions under certain circumstances.

House Bill No. 1333, entitled:

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1132), entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor; fixing their salaries and qualifications; providing for the purchase of trucks and necessary equipment to carry on the work; and making an appropriation therefor," by further regulating the salary of the first aid and mine rescue instructors.

House Bill No. 1338, entitled:

An Act to further amend the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor; the fixing of their salaries and necessary expenses incurred in the performance of their duties; and the fixing of the qualifications which shall be possessed by person appointed to the position of electrical inspector," by regulating the salary of electrical inspector.

House Bill No. 1363, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey fifteen acres of land in East Norriton Township Montgomery County

House Bill No. 1425, entitled:

An Act amending the act of July 15, 1897 (P. L. 287), entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth, and to provide for the examination of persons seeking employment as miners in the anthracite region, and to prevent the employment of incompetent persons as miners in anthracite coal mines, and providing penalties for a violation of the same," establishing Miners Examining Boards in certain counties, decreasing the number of miners on each board and changing the method of their appointment; increasing the compensation of board members; changing certain powers of the boards and members thereof; and increasing examination fees.

House Bill No. 1426, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law," increasing the compensation of members of the examining boards.

House Bill No. 1503, entitled:

An Act amending the act of May 28, 1913 (P. L. 367) entitled "An act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum thereof" removing the limitation on the maximum salary which may be paid to directors or heads of departments in cities of the second class

House Bill No. 1511, entitled:

An Act relating to reciprocal agreements for the interstate transportation and support of the mentally ill.

House Bill No. 1534, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to accept a tract of land and buildings thereon erected in the Borough of California Washington County Pennsylvania containing 25.609 acres for the use of the California State Teachers' College.

House Bill No. 1548, entitled:

An Act amending the act of May 31, 1923 (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualifications as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen, and fire bosses; providing a penalty for forging or making false statements regarding certificates," increasing compensation of board members and of the committee of six.

House Bill No. 1549, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "Administrative Code of 1929," increasing the per diem compensation and mileage rate of the members and secretary of the Anthracite Mine Inspectors' Examining Board.

House Bill No. 1550, entitled:

An Act amending the act of April 29, 1937 (P. L. 551), entitled "An act prohibiting the employment of miners, as herein defined, in the bituminous coal mines, unless certifcated by a miner's examining board; providing for the appointment of such boards, and defining their powers and duties; providing penalties; and making an appropriation," increasing per diem compensation of members of miners' examining boards.

House Bill No. 1551, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "Administrative Code of 1929," increasing the per diem compensation and mileage rate of members and secretary of the Bituminous Mine Inspectors' Examining Board.

House Bill No. 1555, entitled:

An Act to amend an act, approved the twenty-second day of August, one thousand nine hundred fifty-three (Appropriation Acts, page 54), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-three, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-three' by changing the amount appropriated to the Department of Public Instruction.

House Bill No. 1676, entitled:

An Act authorizing townships of the first class in certain cases to convey to a volunteer fire company or association the township's interests in real property upon approval of the court of common pleas of the county.

House Bill No. 1724, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," changing the method of computing pensions, and providing a method of paying service increments from the pension fund to employes of the bureau of fire after retirement.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

BILL INTRODUCED AND REFERRED

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 808, entitled:

An Act forbidding employers to charge individuals a fee for medical examination as a condition of employment subject to certain restrictions.

Which was committed to the Committee on Judiciary General.

CALENDAR

FINAL PASSAGE CALENDAR

REQUEST THAT BILL GO OVER IN ORDER

Mr. MILLER. At the request of Senator Haluska, I would like to ask that House Bill No. 954 go over in its order.

The PRESIDENT. Is there objection???

Mr. WADE. Mr. President, a Member of the Senate, who has been called from the Chamber temporarily, has asked for consideration of this bill.

BILL OVER IN ORDER TEMPORARILY

Mr. WADE. Therefore, Mr. President, I ask unanimous consent that House Bill No. 954, Printer's No. 1048, on final passage, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 735, as follows:

An Act amending the act of April 12 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" permitting licensed importers to import purchase sell and store liquor and alcohol in the Commonwealth.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of section 410 act of April 12 1951 (P. L. 90) known as the "Liquor Code" is amended to read

Section 410 Liquor Importers' Licenses Fees Privileges Restrictions * * *

(e) Importers' licenses shall permit the holders thereof to bring or import liquor from other states foreign countries or insular possessions of the United States and purchase liquor from manufacturers located within this Commonwealth to be sold outside of this Commonwealth or to Pennsylvania Liquor Stores within this Commonwealth or when in original containers of ten gallons or greater capacity to licensed manufacturers within this Commonwealth Importers' licenses issued to licensed Pennsylvania manufacturers operating distilleries and to licensed Pennsylvania bonded warehouses operating United States Internal revenue bonded warehouses shall permit the holders thereof to bring or import purchase and sell both liquor and alcohol in the same manner and under the same conditions and restrictions as are herein provided with respect to liquor

The holders of importers licenses who are also the holders of bonded warehouse licenses operating United States internal revenue bonded warehouses shall be permitted to bring or import for storage purposes into Pennsylvania in original containers of ten gallons or greater capacity alcohol or liquor whether or not for their own account or whether or not the owners thereof hold Pennsylvania licenses and shall be permitted to store or sell such alcohol or liquor under all the conditions and restrictions as are herein provided or under such regulations as the board shall make

All importations of liquor and alcohol into Pennsylvania by the licensed importer shall be consigned to the Pennsylvania Liquor Control Board or the principal place of business or authorized place of storage maintained by the licensee

* * *

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Harney,	Miller,	Taylor,
Berger,	Hays,	Mullin,	Van Sant,
Blass,	Holland,	Pechan,	Wade,
Camiel,	Kessler,	Peelor,	Wagner,
Chapman,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	
Fleming,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 794, Printer's No. 1001;

House Bill No. 1105, Printer's No. 531; and

House Bill No. 1572, Printer's No. 1044.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING CALENDAR OVER IN ORDER

Mr. WADE. Mr. PRESIDENT, I ask unanimous consent that all bills on the second reading calendar, as follow, go over in their order:

House Bill No. 173, Printer's No. 1046;

Senate Bill No. 535, Printer's No. 307;

Senate Bill No. 584, Printer's No. 301;

Senate Bill No. 729, Printer's No. 305; and

Senate Bill No. 746, Printer's No. 275.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE. May we be at ease a moment, Mr. President?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

HOUSE BILL No. 954 CALLED UP

Mr. WADE. Mr. President, I call up from today's Final Passage Callendar, House Bill No. 954, Printers No. 1048, which went over in its order temporarily.

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent

that House Bill No. 954, Printer's No. 1048, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

RECESS

Mr. WADE. Mr. President, I move that the Senate do now take a recess until 1:30 o'clock, p. m., Eastern Standard Time for the purpose of awaiting communications from the House of Representatives.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph J. Alonzo, 1712 Penn Avenue, Jeannette, Westmoreland County, for appointment as Alderman in and for the Fourth Ward of the City of Jeannette, Westmoreland County, to serve until the first Monday of January 1956, vice Alfred S. Petrill, resigned.

GEORGE M. LEADER.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Florance Head, 114 Union Street, Johnstown, Cambria County, for appointment as Alderman in and for the Second Ward of the City of Johnstown, Cambria County, until the first Monday of January 1956, vice George R. Patterson resigned.

GEORGE M. LEADER.

JUSTICE OF PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas J. Gillin, Box 5, McClellandtown, Fayette County, for appointment as Justice of the Peace in and for the Township of German, Fayette County, to serve until the first Monday of January 1958, vice Luke Gillen, deceased.

GEORGE M. LEADER.

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 268 PRINTER'S No. 256

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

To the honorable to inform you that I have this day approved and signed Senate Bill No. 268, Printer's No. 256, entitled "An Act amending the act of May 5, 1933 (P. L. 457) entitled 'An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts' further defining and limiting the rights powers duties liabilities and immunities of such associations and making further provisions governing the transfer of shares the payment of trustee accounts authorized investments security for mortgage loans and loans secured by chattel paper."

GEORGE M. LEADER.

NOMINATION BY THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JUSTICE OF PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Francis L. Kennedy, 127 Lombardo Avenue, St. Marys, Elk County, for appointment as Justice of the Peace in and for the Borough of St. Marys, Elk County, until the first Monday of January 1956, vice Leander B. Weis, deceased.

GEORGE M. LEADER.

RULE 38 SUSPENDED

Mr. WADE. Mr. President, I ask unanimous consent that Rule 38, which requires that Executive Nominations be referred to the appropriate committee, be suspended and the Senate do now proceed to the consideration of the nomination read by the Clerk.

The PRESIDENT. Is there objection? The Chair hears none.

EXECUTIVE SESSION

A motion was made by Mr. WADE and Mr. TAYLOR,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination.

Which was agreed to.

Whereupon,

A motion was made by Mr. WADE and Mr. DIEHM,

That the Senate do advise and consent to the nomination of Francis L. Kennedy, St. Marys, Elk County, for appointment as Justice of the Peace.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Harney,	Miller,	Taylor,
Berger,	Hays,	Mullin,	Van Sant,
Blass,	Holland,	Pechan,	Wade,
Camiel,	Kessler,	Peelor,	Wagner,
Chapman,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	
Fleming,	McMenamin,		

NAYS—0

Two-thrds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WADE. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 834

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 834, entitled:

An Act amending the act of May 9, 1949 (P. L. 927) entitled "An act fixing and regulating the fees commissions mileage and other costs chargeable by the sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local" changing fees commissions mileage and other costs chargeable by sheriffs.

The PRESIDENT. The bill will be laid on the table.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 1339

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1339, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the terms of office of school directors of union and merged districts.

The PRESIDENT. The bill will be laid on the table.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 229

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 229, entitled:

An Act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry or national origin by employers, employment agencies, labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission defining its functions, powers and duties, providing for procedure and enforcement, providing for formulation of an educational program to prevent prejudice, providing for judicial review and enforcement and imposing penalties.

The PRESIDENT. This Report of Committee of Conference will appear on the next day's Calendar.

HOUSE RECEDES FROM AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL NO. 455

He also informed the Senate that the House recedes from its amendments non-concurred in by the Senate to Senate Bill No. 455, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof confering the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" eliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by an Authority

HOUSE CONCURS IN AMENDMENTS TO SEIATE BILL No. 306, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 306, entitled:

An Act amending the act of May 16, 1921 (P. L. 579) entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third, fourth, and fifth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline, and employment of prisoners and the government and management of said jails or county prisons," further regulating the expenditures of moneys by the board without advertising and awarding of contracts.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 595, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 595, entitled:

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," authorizing cities to regulate or prohibit the construction, building or maintenance of certain fences made in whole or in part of wire with barbs.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 340

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 340, entitled:

An Act amending the act of April 17 1947 (P. L. 63 No. 29) entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases" extending the provisions of the act to cities of the second class

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 386

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 386, entitled:

An Act amending the act of March 26, 1931 (P. L. 8), entitled "An act to fix the fees to be allowed the district attorney in counties of the second class," providing a fee for services in cases removed to any appellate court of this Commonwealth or to any court of the United States.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 705

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 705, entitled:

An Act providing for the payment of certain outstanding checks more than seven years old, and making appropriations therefor.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1003

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1003, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "Vehicle Code," authorizing the issuance of special permits for a limited period to certain nonresidents.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1332

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1332, entitled:

An Act to further amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," by regulating the salary of mine inspectors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1628

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1628, entitled:

An Act making a deficiency appropriation to the Department of Public Instruction for payments to school districts on account of rentals payable to municipal authorities and nonprofit corporations.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1637.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1637, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of annual rates, rentals and other changes to the General State Authority.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 306, entitled:

An Act amending the act of May 16, 1921 (P. L. 579), entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonweallth of the third, fourth, and fifth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safekeeping, discipline, and employment of prisoners and the government and management of said jails or county prisons," further regulating the expenditures of moneys by the board without advertising and awarding of contracts.

Senate Bill No. 455, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the rights of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," elliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by an Authority.

Senate Bill No. 595, entitled:

An Act amending the act of March 7, 1901 (P. L. 20),

entitled "An act for the government of cities of the second class," authorizing cities to regulate or prohibit the construction, building or maintenance of certain fences made in whole or in part of wire with barbs.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

Mr. WADE. Mr. President, may we be at ease a moment, awaiting a communication from the House of Representatives?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

HOUSE MESSAGE

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1104

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1104, entitled:

An Act amending the act of April 21, 1949 (P. L. 665), entitled "First Class City Home Rule Act," providing for the revision of home rule charters; providing for the establishment of a charter revision commission for the purpose of making revisions; and imposing duties upon city councils, city officers, boards of election, courts and the Secretary of the Commonwealth.

The PRESIDENT. The bill will be laid on the table.

BILLS SIGNED

The President, (Lieutenant-Governor Roy E. Furman), announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 340, entitled:

An Act amending the act of April 17, 1947 (P. L. 63, No. 29), entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase, lease or condemnation, any land within said cities with the buildings thereon, if any; to construct buildings and facilities thereon; to operate the same as parking lots or public garages, subject to certain conditions, or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases," extending the provisions of the act to cities of the second class.

House Bill No. 386, entitled:

An Act amending the act of March 26, 1931 (P. L. 8), entitled "An act to fix the fees to be allowed the district attorney in counties of the second class," providing a fee for services in cases removed to any appellate court of this Commonwealth or to any court of the United States.

House Bill No. 705, entitled:

An Act providing for the payment of certain outstanding checks more than seven years old, and making appropriations therefor.

House Bill No. 1003, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "Vehicle Code," authorizing the issuance of special permits for a limited period to certain nonresidents.

House Bill No. 1332, entitled

An Act to further amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," by regulating the salary of mine inspectors.

House Bill No. 1628, entitled:

An Act making a deficiency appropriation to the Department of Public Instruction for payments to school districts on account of rentals payable to municipal authorities and nonprofit corporations.

House Bill No. 1637, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of annual rates, rentals and other charges to the General State Authority.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

COMMITTEE MEMBER APPOINTED PURSUANT TO SENATE CONCURRENT RESOLUTION, SERIAL No. 113

The PRESIDENT. The Chair wishes to announce that the President pro tempore has appointed the Honorable Frank Kopriver, Jr., of Allegheny County, as a Member of the Joint Committee to Investigate the Pennsylvania Training School at Morganza, replacing the Honorable Albert R. Pechan, who requested to be relieved. This appointment is pursuant to Senate Concurrent Resolution, Serial No. 113.

ADJOURNMENT

Mr. WADE. Mr. President, I move that the Senate do now adjourn until Monday, October 24, 1955, at 2:30 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The Motion was agreed to.

The Senate adjourned at 2:31 o'clock, p. m., Eastern Standard Time, until Monday, October 24, 1955, at 2:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

FRIDAY, October 14, 1955

The House met at 10:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend Harold J. Crouse, Pastor of Trinity Lutheran Church, York, offered the following prayer:

O God we pause to thank Thee for the lavish way in which Thou hast provided for us:

For the beauty of life that lies around our feet; for the sun rises and sun sets beneath a tabernacle of golden and purple clouds: for the fragrance of the rose: for the bloom of the wayside flowers and the glory of an autumnal panorama:

For the fertility of the soil that more than enough satisfies the hunger of men and women:

Forgive us for being so blind that we did not take time to feast on the wonders of Thy creation. That many times the unloveliness of our words and deeds only reflected the moods of our own little life so void of wonder and beauty.

Forgive us for our selfish greed that desires to have more than enough while others go hungry and grow quite bitter and chilled of spirit.

Lord, teach us anew to see the wonders of Thy beauty: to be liberal in our sharing and to be thankful for all things in all seasons. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, September 26, 1955? If not. and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, October 13, 1955, will be postponed until printed. The Chair hears none.

ABSENTEE EMPLOYES

The SPEAKER. The Chair would request the Sergeant-at-Arms or the Chief Clerk to ascertain the names of any House employes who are absent without leave and to report those names to the Chair.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. POLASKI and JOSEPH J. BRENNAN. HOUSE BILL No. 1836.

An Act providing for a referendum to determine the will of the electorate with respect to the extension of daylight saving time.

Referred to the Committee on Judiciary Special.

By Mr. EILBERG. HOUSE BILL No. 1837.

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs, and keeping records thereof; by regulating the use of drugs in the treatment of the drug habit; by providing for the revocation and suspension of licenses of physicians, dentists, veterinarians, pharmacists, druggists, and registered nurses for certain causes, and by providing for the enforcement of this act, and penalties," correcting the spelling of "cocoa" to "coca."

Referred to the Committee on Public Health and Sanitation.

By Messrs. RIGBY and SARRAF. HOUSE BILL No. 1838

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further regulating the admission of beginners to the public schools.

Referred to the Committee on Education.

By Mr. READINGER. HOUSE BILL No. 1839.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," changing the definition of the word "chassis" to include a rear bumper and requiring passenger motor vehicles to be equipped with certain types of exhaust pipes.

Referred to the Committee on Motor Vehicles.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. DAVIS. (Concurrent) RESOLUTION No. 117.

In the House of Representatives, October 13, 1955.

There are times when the ordinary channels of State Government become clogged, when voices from the countryside remain inaudible to the central agencies of government; especially the voices from distant, sparsely settled communities.

But the legislative branch of the Commonwealth, the sounding board for the wishes of the people, can upon occasion well serve this function by bringing to the attention of departments of the executive branch problems seemingly lost sight of.

Such a problem apparently exists in the conspicuously dilapidated condition as well as the out-moded, narrow beam-measurements of the State bridge spanning the Allegheny River on Pennsylvania State Highway Route 62 at Tionesta, Pennsylvania.

This bridge, on a heavily travelled main-highway, is regarded, with probably little short of unanimity by all who use it, as an increasingly dangerous hazard to the

motoring public. Accidents and fatalities directly attributable to so little space for vehicular passings have occurred within the recent past.

Moreover, with increasing traffic at all hours of the night, the noise of motor cars and heavy trucks speeding across more than five hundred feet of loose, vibrating floor-boards has become a public nuisance to the inhabitants of the Borough of Tionesta and a nervous deterrent to the health of the aged and ailing; therefore be it

Resolved (The Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania urge the Secretary of the Pennsylvania Department of Highways, without further delay, to replace the dangerous and obsolete bridge crossing the Allegheny River on Pennsylvania Highway Route No. 62 at Tionesta, by a new structure designed to meet prospective traffic loads and equal to modern standards of highway safety and vehicular-flow efficiency; and be it further

Resolved, That a copy of this resolution be transmitted to the Secretary of Highways.

Referred to the Committee on Rules.

By Mr. YETTER. RESOLUTION No. 118.

In the House of Representatives, October 13, 1955.

A number of apparent irregularities exist in the Department of Health which require correction or adjustment.

There appears to be no definite program on the subject of polio, its prevention and treatment. Conflicting information with reference thereto comes from agencies of the department.

It is apparent that the State law governing the filling of vacancies in the department is being ignored.

Apparently the department has not been run economically; therefore be it

Resolved, That the Department of Health, on or before December 1, 1955, inform the Committee on Public Health and Sanitation of the House of Representatives on the following:

1. What program the department has adopted, if any, on the prevention and treatment of polio, and if the department has no fixed program, the reason for not having one.

2. A list of all appointments made to positions in the department showing in each case how the law has been complied with, if it has been complied with.

3. An itemized breakdown of all expenditures made to date since the first day of June 1955, and an itemized statement in the nature of a performance or program budget showing in detail the purposes for which all moneys requested for the balance of the current biennium will be spent and the amount allocated to each purpose.

Referred to the Committee on Rules.

LEAVE OF ABSENCE WITHDRAWN

Mr. LAWYER. Being of a very strong constitution, Mr. Speaker, I would like to retract the leave of absence requested for me yesterday and ask that I be marked present.

The SPEAKER. The Chair thanks the gentleman, and the leave of absence is withdrawn.

MORNINGSIDE SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Morningside School of Allegheny County who are here under the supervision of their teacher, Miss Schreiver. They are the guests of the gentlemen from Allegheny, Messrs. Sarraf and Leonard.

CALL OF THE HOUSE

Mr. READINGER. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER. The gentleman from Berks suggests the absence of a quorum. The Sergeant-at-Arms will close the doors of the House. Members and Officers of the House will be admitted. None others will be permitted to enter. Members of the House are not privileged to leave the Hall of the House during the calling of the roll.

Mr. MUSTO. I ask permission of the Speaker to allow Repesentatives on the outside of the Hall of the House using the telephone to enter the Hall of the House.

The SPEAKER. The Chair has announced that the Sergeant-at-Arms will admit Members and Officers of the House, but the Sergeant-at-Arms will not admit anyone not a Member or not an Officer of the House.

Does that satisfy the gentleman from Luzerne? That is the customary procedure, the Chair might say, — — — not only the customary procedure but as the Parliamentarian reminds me, it is the Rule.

The Clerk will call the roll slowly and distinctly and Members will please answer to their names. The Clerk will call the roll.

The roll was called and was as follows:

PRESENT—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, S. A.,	Garlock,	McGee,	Sherman,
Anderson, M. S.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Parry,	Varner,
Cianfrani,	Jump,	Naugle,	Vaughan,
Cioffi,	Kamyk,	Needham,	Verona,
Cochran,	Kehler,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Knecht,	O'Neil,	Walsh,
Cooper,	Kolankiewicz,	Pacchioli,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetzer,
Fineman,	Lovett,	Rosen,	Yetter,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

LEAVES OF ABSENCE—6

Brenninger,	Keller,	McKeever,	Varallo,
Eilberg,	Kratz,		

ABSENCE WITHOUT LEAVE—17

Blair,	Hamilton, W. H.,	Lafore,	Pashley,
Foster,	Helm,	Lippincott,	Pomeroy,
George,	Hewitt,	McInroy,	Spencer,
Gibb,	Kline,	Muldowney,	Tompkins,
Guthrie,			

(Following the calling of the quorum and before the result was announced)

Dr. KOLANKIEWICZ. Mr. Speaker, I want to make a statement in reference to — — —

The SPEAKER. After the announcement of the result of the quorum call, the gentleman's statement will be in order. The Chair will recognize the gentleman at that time.

Mr. KOLANKIEWICZ. Mr. Speaker, I would like leave of absence for Mr. Eilberg. There is information that was just given to me — — —

The SPEAKER. The gentleman is informed that this House cannot grant leaves of absence until the fact that a quorum is present has been offically established. After a quorum has been offically confirmed, then further business will be in order, but at the present time there is no business before the House except the establishment of a quorum which entitles us to act.

Mr. READINGER. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

LEAVE OF ABSENCE

Mr. KOLANKIEWICZ. Mr. Speaker, I have just been informed by Mr. Branca, who came up from Philadelphia this morning, that he called Mr. Joshua Eilberg to accompany him back to today's session. He was informed that Mr. Eilberg is sick in bed.

The SPEAKER. Without objection leave is granted. The Chair hears none.

STATEMENT BY SPEAKER

The SPEAKER. The Chair at this time desires once again to read Rule 71.

First of all, a quorum call is in order at any time. A quorum call is not an expedient that can be used simply at the beginning of a session, a quorum call is an expedient that can be used at any time during a session.

Rule 71 reads:

> "Every Member shall be pesent within the Hall of the House during its sittings, unless excused by the House . . . . "

Temporary absences due to the calls of nature are of course excepted, but Members are not privileged to leave and are subject to recall by this House if, while the House is in session, they absent themselves for the purpose of attending to business of personal concern.

That is a rule that is frequently broken. The Chair concludes by saying that when Members are scattered around the Hill it is the privilege of the House to have a quorum call and delay proceedings until those Members who are here in Harrisburg once again return to the Hall of the House.

PARLIAMENTARY INQUIRY

Mr. READINGER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. READINGER. Mr. Speaker, is it in order now to suggest the presence in the House at this time of Representative Yetzer of Berks County, who was not here on the call of the roll?

The SPEAKER. Any Member who came into the Hall of the House will be marked present. The Chair will repeat for the benefit of the gentleman from Lancaster, Mr. Royer, any gentleman who comes into the Hall of the House will be marked on the roll by notifying the Chief Clerk.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 121, FROM GOVERNOR

Commonwealth of Pennsylvanna,
Governor's Office, Harrisburg, October 7, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 121, Printer's No. 856, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE M. LEADER.

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. AMARANDO asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

Mr. POLASKI asked and obtained permission for the Committee on State Government to meet during the session of the House.

NITSCHMANN JUNIOR HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of ninth grade students from the Nitschmann Junior High School of Northampton County who are here under the supervision of their principal, Mr. M. W. Brown. They are the guests of Mrs. Reibman and Messrs. Bucchin, Gaffney and Pacchioli.

PERMISSION TO ADDRESS HOUSE

Mr. WATERHOUSE asked and obtained unanimous consent to address the House.

Mr. Speaker, in this political world of ours there is an old adage that to the victor goes the spoils. I think we all recognize that, but when the victor imposes undue hardships, we might say, or deprives the Commonwealth and the citizens of the Commonwealth then I believe it is something that should be taken up by the Members of the House who represent all the people.

On May 26th I made a statement that I was of the opinion that the Fish Commission was going to become entirely political and if that happened it was going to be a dark day for the sportsmen.

That has happened. It is not only a dark day for the sportsmen, but it is a dark day for everyone living within this area that I will speak about.

In 1947 we had a flood, it was not as disastrous as the one in the east, but it was very severe in our section and it washed a dam out that impounded the waters of a 100 acre lake known as Columbus Dam. This was a very fine fishing area, there was a lot of swimming done there, and boating, and it was the only spot for the people within an area of 15 to 20 miles to swim.

So we proceeded with an authority with the idea in mind that we could rebuild this dam, but we found that it was going to take from about $30 or $40 thousand of funds which were not available. So we prevailed upon the Fish Commission to do something about rebuilding this recreational spot, which they finally agreed to do, and $40 thousand was set aside for this purpose.

Then in May I saw where we were going to have a new commission, the statement was made as to how they would vote, and so on and so forth. They moved far enough on this project that they were asking for bids and the equipment was supposed to have been in in a week. The new commission immediately asked for the papers on the project. They held a meeting and said they were going to study it further.

Within the last week they have said that they are definitely going to abandon the project. They have taken $15 thousand from the 40 and spent that on a stream improvement project in some other county, and they are going to take the other $25 thousand and spread that out to make ponds or lakes in some of the areas they think will be politically advantageous.

I am going to follow this statement, Mr. Speaker, with a formal resolution of inquiry. I hope it can be brought to the floor of the House and I hope we can have a study made and get a good, sincere answer to show cause why this dam should not be built.

Incidentally, Mr. Speaker, this dam is in a Democratic community.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Kolankiewicz for Mrs. VARALLO for today's session because of illness.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1089, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," defining and providing for the establishment, maintenance and the amount of and use of unearned premium reserves, the release of unearned premiums, reserve for unpaid losses and loss expense and the investment of reserve funds.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1091, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for and regulating the investments of title insurance companies.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1580, entitled:

An Act amending the act of July 29 1953 (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" regulating employment of building policemen and building guards hereafter appointed.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 365, entitled:

An Act regulating the sale and possession of certain dangerous drugs in the interest of public health and imposing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 366, entitled:

An Act amending the act of July 11 1917 (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" correcting the spelling of the word "cocoa" to "coca" and providing for oral prescriptions in certain cases and regulating their use

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 475, entitled:

An Act amending the act of August 22 1953 (P. L. 1344) entitled "An act relating to marriage and amending revising consolidating and changing the law relating thereto" further regulating the issuance of marriage licenses when applicants are infected with syphilis.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

APPROPRIATION BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 54, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Bloomsburg State Teachers College and for the Commonwealth's share of expenses incurred by the town of Bloomsburg in connection therewith.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 200, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase of fire fighting equipment for the Scotland School for Veterans' Children.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 320, entitled:

An Act making an appropriation to the Department of Commerce for the advertisement and advancement of Pennsylvania as a resort and travel area.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 514, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase certain lands adjacent to the Pennsylvania Farm Museum of Landis Valley property providing for the control maintenance and improvement thereof and making an appropriation.

And said bill having been read at length the second

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 647, entitled:

An Act amending the act June 12, 1951 (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" fixing the date for liability of costs of patient care.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 703, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Town of Bloomsburg Columbia County for the use of the Bloomsburg State Teachers College and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 773, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 887, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Shippensburg State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Shippensburg in connection therewith.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 905, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania to provide improved facilities for female juveniles committed by the courts of the Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 914, entitled:

An Act reenacting and amending the act of May 23, 1949 (P. L. 1661) entitled as amended "An act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses" extending the act to include school districts of the first class A.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 917, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for equal reimbursement to school districts of the first class A and first class.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1280, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire tracts of land in the Borough of Edinboro Erie County for use of the Edinboro State Teachers' College and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1295, entitled:

An Act making an appropriation to the Department of Agriculture to assist the Commonwealth's 4-H Club and Future Farmers of America dairy show program by paying the expenses of holding the six existing 4-H Dairy Club and F F A district dairy shows and in addition a State-wide show to be held in the Fall of the year as preliminary to the State Farm Show.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1314, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the provisions relating to sick leaves for certain State employes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1340, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing payments to school districts on account of pupil transportation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1464, entitled:

An Act directing the Department of Highways to transfer the Seabright Toll House to the Pennsylvania Historical and Museum Commission providing for the repair of the Toll House authorizing the Department of Property and Supplies to convey the Toll House to the Westmoreland-Fayette Historical Society and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1535, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing budget estimates relating to travel costs of county and assistant county superintendents and of supervisors of special education.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1543, entitled:

An Act relating to the protection of forests and the control of forest pests declaring forest pests to be a public nuisance conferring powers and imposing duties on the Department of Forests and Waters providing for penalties making an appropriation and repealing inconsistent laws.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1573, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of nesessary improvements at the Edinboro State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Edinboro in connection therewith.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1584, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of research to be conducted at the Pennsylvania State Agricultural Experiment Station at University Park Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1592, entitled:

An Act amending the act of May 14, 1907 (P. L. 197) entitled "An act to provide for the establishing and maintenance of one or more sanatoria or colonies in Pennsylvania for the free care and treatment of indigent persons suffering from tuberculosis and making an appropriation therefor" extending its provisions to all persons suffering or suspected of suffering from tuberculosis.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1642, entitled:

An Act to add clause (1) to section two thousand one hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing and making it the duty of the Department of Health to provide limited training in the field of public health work for certain State and municipal employes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1643, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" redefining the powers and duties of the Department of Health.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1688, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction of armory facilities under certain conditions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1689, entitled:

An Act making an appropriation to the Department of Property and Supplies for repair and improvements to the Pennsylvania Soldiers' and Sailors' Home at Erie.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1699, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire land on which is located the Old Bradford House in the City of Washington Washington County providing for its repair authorizing the conveyance thereof to the Washington County Historical Society and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1727, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purchase of strip mined and adjacent areas and mineral rights on lands under the jurisdiction of the department.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1728, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase and installation of equipment for the Commonwealth Cafeteria and expense incident thereto.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1732, entitled:

An Act lapsing unexpended and unencumbered balances of certain appropriations from the Motor License Fund.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1733, entitled:

An Act amending the act of September 29, 1951 (P. L. 1652) entitled "An act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on lands heretofore or about to be conveyed to it by the Mercy-Douglas Hospital and authorizing the Department of Property and Supplies to sublease said lands and building to the Mercy-Douglas Hospital" clarifying the word hospital.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1834, entitled:

An Act making an appropriation to the House of Representatives of the General Assembly for the payment of mileage of members and incidental expenses for the balance of the legislative session of 1955.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 121, entitled:

An Act requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation recreation dams and flood control authorizing the Secretary of Forests and Waters to determine the need for and location of such projects and to acquire the necessary land.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 785, Printer's No. 306,

was passed over at the request of the SPEAKER.

BILLS ON SECOND READING

BILLS PASSED OVER

There being no objection House Bill No. 1685, Printer's No. 949, was passed over at the request of the SPEAKER.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 229

Mr. TOLL. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 229.

The report was read by the Clerk as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 229

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 229, entitled: "An Act prohibiting certain practices of discrimination because of race color religious creed ancestry age or national origin by employers employment agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent prejudice for judicial review and enforcement and imposing penalties."

Respectfully submit the following bill as our report:

ROBERT D. FLEMING,
PAUL L. WAGNER,
HARRY E. SEYLER,
(Committee on the Part of the Senate.)
HERMAN TOLL,
J. P. MORAN,
CHARLES C. SMITH,
(Committee on the Part of the House of Representatives.)

An Act prohibiting certain practices of discrimination because of race color religious creed ancestry age or national origin by employers employment agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent prejudice providing for judicial review and enforcement and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act may be cited as the "Pennsylvania Fair Employment Practice Act"

Section 2 Findings and Declaration of Policy

(a) The practice of policy of discrimination against individuals or groups by reason of their race color religious creed ancestry age or natural origin is a matter of concern of the Commonwealth Such discrimination foments domestic strife and unrest threatens the rights and privileges of the inhabitants of the Commonwealth and undermines the foundations of a free democratic state The denial of equal employment opportunities because of such discrimination and the consequent failure to utilize the productive capacities of individuals to their fullest extent deprive large segments of the population of the Commonwealth of earnings necessary to maintain decent standards of living necessitates their resort to public relief and intensifies group conflicts thereby resulting in grave injury to the public health and welfare

(b) It is hereby declared to be the public policy of this Commonwealth to foster the employment of all individuals in accordance with their fullest capacities regardless of their race color religious creed ancestry age or national origin and to safeguard their right to obtain and hold employment without such discrimination

(c) This act shall be deemed an exercise of the police power of the Commonwealth for the protection of the public welfare prosperity health and peace of the people of the Commonwealth of Pennsylvania

Section 3 Right to Freedom from Discrimination in Employment The opportunity for an individual to employment for which he is qualified without discrimination because of race color religious creed ancestry age or national origin is hereby recognized as and declared to be a civil right which shall be enforceable only as set forth in this act

Section 4 Definitions As used in this act unless a different meaning clearly appears from the contex

(a) The term "person" includes one or more individuals partnerships associations organizations corporations legal representatives trustees in bankruptcy or receivers

(b) The term "employer" includes the Commonwealth or any political subdivision or board department commission or school district thereof and any person employing twenty-five or more persons within the Commonwealth but does not include religious fraternal charitable or sectrian corporations or associations except such corporations or associations supported in whole or in part by governmental appropriations

(c) The term "employe" does not include any individual employed in agriculture or in the domestic service of any person or any individual employed by his parents spouse or child

(d) The term "labor organizations" includes any organization which exists for the purpose in whole or in part of collective bargaining or of dealing with employers concerning grievances terms or conditions of employment or of other mutual aid or protection in relation to employment

(e) The term "employment agency" includes any person regularly undertaking with or without compensation to procure opportunities to work or to procure recruit refer or place employes

(f) The term "Commission" means the Pennsylvania Fair Employment Practice Commission created by this act

(g) The term "discriminate" includes segregate

(h) The term "age" includes any person between the ages of forty and sixty-two inclusive

Section 5 Unlawful Employment Practices It shall be an unlawful employment practice unless based upon a bona fide occupational qualification or except where based upon applicable security regulations established by the United States or the Commonwealth of Pennsylvania

(a) For any employer because of the race color religious creed ancestry age or national origin of any individual to refuse to hire or employ or to bar or to discharge from employment such individual or to otherwise discriminate against such individual with respect to compensation hire tenure terms conditions or privileges of employment if the individual is the best able and most competent to perform the services required

(b) For any employer employment agency or labor organization prior to the employment or admission to membership to

(1) Elicit any information or make or keep a record of or use any form of application or application blank containing questions or entries concerning the race color religious creed ancestry age or national origin of any applicant for employment or membership

(2) Print or publish or cause to be printed or published any notice or advertisement relating to employment or membership indicating any preference limitation specification or discrimination based upon race color religious creed ancestry or national origin

(3) Deny or limit through a quota system employment or membership because of race color religious creed ancestry age national origin or place of birth

(4) Substantially confine or limit recruitment or hiring of individuals with intent to circumvent the spirit and purpose of this act to any employment agency employment service labor organization training school or training center or any other employe-referring source which services individuals who are predominantely of the same race color religious creed ancestry age or national origin

(c) For any labor organization because of the race color religious creed ancestry age or national origin of any individual to deny full and equal membership rights to any individual or otherwise to discriminate against such individuals with respect to hire tenure terms conditions or privileges of employment or any other matter directly or indirectly related to employment

(d) For any employer employment agency or labor organization to discriminate in any manner against any individual because such individual has opposed any practice forbidden by this act or because such individual has made a charge testified or assisted in any manner in any investigation proceeding or hearing under this act

(e) For any person whether or not an employer employment agency labor organization or employe to aid abet incite compel or coerce the doing of any act declared by this section to be an unlawful employment practice or to obstruct or prevent any person from complying within the provisions of this act or any order issued thereunder or to attempt directly or indirectly to commit any act declared by this section to be unlawful employment practice

(f) For any employment agency to fail or refuse to classify properly refer for employment or otherwise to discriminate against any individual because of his race color religious creed ancestry age or national origin

(g) For any individual seeking employment to publish or cause to be published any advertisement which specifies or in any manner expresses his race color religious creed ancestry age or national origin or in any manner expresses a limitation or preference as to the race color religious creed ancestry age or national origin of any prospective employer

Section 6 Pennsylvania Fair Employment Practice Commission There shall be and there is hereby established in the Department of Labor and Industry a non-partisan departmental administrative commission for the administration of this act which shall be known as the "Pennsylvania Fair Employment Practice Commission" and which is hereinafter referred to as the "Commission"

Said Commission shall consist of nine members to be known as Commissioners who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate five of such commissioners to be from the same political party as the Governor and four from a political party other than that of the Governor and each of whom shall hold office for a term of five years or until his successor shall have been duly appointed and qualified Provided however That in making the first appointments to said Commission one member shall be appointed for a term of one year two for a term of two years two for a term of three years two for a term of four years and two for a term of five years Vacancies occurring in an office of a member of the commission by expiration of term death resignation removal or for any other reason shall be filled in the manner aforesaid for the balance of that term

Subject to the provisions of this act the Commission shall have all the powers and shall perform the duties generally vested in and imposed upon departmental administrative boards and commissions by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) known as "The Administrative Code of one thousand nine hundred twenty-nine" and its amendments and shall be subject to all the provisions of such Code which apply generally to departmental administrative boards and commissions

The Governor shall designate one of the members of the Commission to be its chairman who shall preside at all meetings of the Commission and perform all the duties and functions of the chairman thereof The Commission may designate one of its members to act as chairman during the absence or incapacity of the chairman and when so acting the member so designated shall have and perform all the powers and duties of the chairman of the Commission

Five members of the Commisison shall constitute a quorum for transacting business and a majority vote of those present at any meeting shall be sufficient for any official action taken by the Commission

Each member of the Commission shall receive per diem compensation at the rate of fifteen dollars ($15) per day for the time actually devoted to the business of the Commission

The Commission shall adopt an official seal by which its acts and proceeding shall be authenticated and of which the courts shall take judicial notice The certificate of the chairman of the Commission under the seal of the

Commission and attested by the secretary shall be accepted in evidence in any judicial proceeding in any court of this Commonwealth as adequate and sufficient proof of the acts and proceedings of the Commission therein certified to

Section 7 Powers and Duties of the Commission The Commission shall have the following powers and duties

(a) To establish and maintain a central office in the City of Harrisburg

(b) To meet and function at any place within the Commonwealth

(c) To appoint such attorneys and other employes and agents as it may deem necessary fix their compensation within the limitations provided by law and prescribe their duties

(d) To adopt promulgate amend and rescind rules and regulations to effectuate the policies and provisions of this act

(e) To formulate policies to effectuate the purposes of this act and make recommendations to agencies and officers of the Commonwealth or political subdivisions of government or board department commission or school district thereof to effectuate such policies

(f) To initiate receive investigate and pass upon complaints charging unlawful employment practices

(g) To hold hearings subpoena witnesses compel their attendance administer oaths take testimony of any person under oath or affirmation and in connection therewith to require the production for examination of any books and papers relating to any matter under investigation where a complaint has been properly filed before the Commission The Commission may make rules as to the issuance of subjoenas by individual Commissioners In case of contumacy or refusal to obey a subpoena issued to any person the Court of Common Pleas of Dauphin County or any court of common pleas within the jurisdiction of which the hearing is to be held or the said person charged with contumacy or refusal to obey is found resides or transacts business upon application by the Commission may issue to such person an order requiring such person to appear before the Comission there to produce documentary evidence if so ordered or there to give evidence touching the matter in question and any failure to obey such order of the court may be punished by said court as a contempt thereof

No person shall be excused from attending and testifying or from producing records correspondence documents or other evidence in obedience to the subpoena of the Commission or of any individual Commissioner on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he is compelled after having claimed his privilege against self-incrimination to testify or produce evidence except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying The immunity herein provided shall extend only to natural persons so compelled to testify

(h) To inspect upon request such records of the Commonwealth or any political subdivision board department commission or school district thereof as it may deem necessary or advisable to carry into effect the provisions of this act

(i) To create such advisory agencies and conciliation councils local or state-wide as will aid in effectuating the purposes of this act The Commission may itself or it may empower these agencies and councils to (1) study the problems of discrimination in all or specific fields of human relationships when based on race color religious creed ancestry age or national origin and (2) foster through community effort or otherwise good will among the groups and elements of the population of the State Such agencies and councils may make recommendations to the Commisison for the devolpment of policies and procedure in general Advisory agencies and conciliation councils created by the Commission shall be composed of representative citizens serving without pay but the Commission may make provision for technical and clerical assistance to such agencies and councils and for the payment of the expenses of such assistance.

(j) To issue such publications and such results of investigations and research as in its judgment will tend to promote good will and minimize or eliminate discrimination because of race color religious creed ancestry age or national origin

(k) From time to time but not less than once a year to report to the Legislature and the Governor describing in detail the investigations proceedings and hearings it has conducted and their outcome the decisions it has rendered and the other work performed by it and make recommendations for such further legislation concerning abuses and discrimination because of race color religious creed ancestry age or national origin as may be desirable

Section 8 Educational Program

In order to eliminate prejudice among the various racial religious and nationality groups in this Commonwealth and to further good will among such groups the Commission in cooperation with the Department of Public Instruction is authorized to prepare a comprehensive educational program designed for the students of the schools in this Commonwealth and for all other residents thereof in order to eliminate prejudice against such groups

Section 9 Procedure Any individual claiming to be aggrieved by an alleged unlawful employment practice may make sign and file with the Commission a verified complaint in writing which shall state the name and address of the person employer labor organization or employment agency alleged to have committed the unlawful employment practice complained of and which shall set forth the particulars thereof and contain such other information as may be required by the Commission upon its own initiative or the Attorney General may in like manner make sign and file such complaint Any employer whose employes or some of them hinder or threaten to hinder compliance with the provisions of this act may file with the Commission a verified complaint asking for assistance by consiliation or other remedial action and during such period of conciliation or other remedial action no hearings orders or other actions shall be taken by the commission against such employer

After the filing of any complaint or whenever there is reason to believe that an unlawful employment practice has been committed the Commission shall make a prompt investigation in connection therewith

If it shall be determined after such investigation that no probable cause exists for crediting the allegations of the complaint the Commission shall within ten days from such determination cause to be issued and served upon the complainant written notice of such determination and the said complainant or his attorney may within ten days after such service file with the Commission a written request for a preliminary hearing before the Commission to determine probable cause for crediting the allegations of the complaint If it shall be determined after such investigation that probable cause exists for crediting the allegations of the complaint the Commission shall immediately endeavor to eliminate the unlawful employment practice complained of by conference conciliation and persuasion The members of the Commission and its staff shall not disclose what has transpired in the course of such endeavors provided that the Commission may publish the facts in the case of any complaint which has been dismissed and the terms of conciliation when the complaint has been adjusted without disclosing the identity of the parties involved

In case of failure so to eliminate such practice or in advance thereof if in the judgment of the Commission circumstances so warrant the Commission shall cause to be issued and served a written notice together with a copy of such complaint as the same may have been amended requiring the person employer labor organization or employment agency named in such complaint hereinafter referred to as respondent to answer the charges of such complaint at a hearing before the Com-

mission at a time and place to be specified in such notice The place of any such hearing shall be in the county in which the alleged offense was committed

The case in support of the complaint shall be presented before the Commission by one of its attorneys or agents The respondent may file a written verified answer to the complaint and appear at such hearing in person or otherwise with or without counsel and submit testimony The complainant may likewise appear at such hearing in person or otherwise with or without counsel and submit testimony The Commission or the complainant shall have the power reasonably and fairly to amend any complaint and the respondent shall have like power to amend his answer The Commission shall not be bound by the strict rules of evidence prevailing in courts of law or equity The testimony taken at the hearing shall be under oath and be transcribed

If upon all the evidence at the hearing the Commission shall find that a respondent has engaged in or is engaging in any unlawful employment practice as defined in this act the Commission shall state its findings of fact and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful employment practice and to take such affirmative action including but not limited to hiring reinstatement or upgrading of employes with or without back pay admission or restoration to membership in any respondent labor organization as in the judgment of the Commission will effectuate the purposes of this act and including a requirement for report of the manner of compliance If upon all the evidence the Commission shall find that a respondent has not engaged in any such unlawful employment practice the Commission shall state its findings of fact and shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent

The Commission shall establish rules or practice to govern expedite and effecuate the foregoing procedure and its own actions thereunder Any complaint filed pursuant to this section must be so filed within sixty days after the alleged act of discrimination any complaint may be withdrawn at any time by the party filing the complaint

Section 10 Enforcement and Judicial Review The complainant the Attorney General or the Commission may secure enforcement of the order of the Commission or other appropriate relief by the Court of Common Pleas of Dauphin County Such proceeding shall be initiated by the filing of a petition in such court together with a transcript of the record of the hearing before the Commission and issuance and service of a copy of said petition as in proceedings in equity The court shall have power to grant such temporary relief or restraining order as it deems just and proper and to make and enter upon the pleadings testimony and proceedings set forth in such transscript an order or decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the Commission and the jurisdiction of the court shall not be limited by acts pertaining to equity jurisdiction of the courts an appeal may be taken as in other civil actions

The Commission's copy of the testimony shall be available at all reasonable times to all parties for examination without cost and for the purpose of enforcement or judicial review of the order The case shall be heard without requirement of printing

Any order to the Commission may be reviewed under the provisions of the act of June 4 1945 (P. L. 1388) known as the "Administrative Agency Law" and its amendments

Section 11 Penalties Any person who shall wilfully resist prevent impede or interfere with the Commission its members agents or agencies in the performance of duties pursuant to this act or shall wilfully violate an order of the Commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or to undergo imprisonment not exceeding thirty (30) days or both in the discretion of the court but procedure for the review of an order shall not be deemed to be such wilful conduct

Section 12 Construction and Exclusiveness of Remedy

(a) The provisions of this act shall be construed liberally for the accomplishment of the purposes thereof and any law inconsistent with any provisions hereof shall not apply

(b) Nothing contained in this act shall be deemed to repeal any of the provisions of any municipal ordinance municipal charter or of any law of this Commonwealth relating to discrimination because of race color religious creed ancestry age or national origin but as to acts declared unlawful by section five of this act the procedure herein provided shall when invoked be exclusive and the final determination therein shall exclude any other action civil or criminal based on the same grievance of the complainant concerned If such complainant institutes any action based on such grievances without resorting to the procedure provided in this act he may not subsequently resort to the procedure herein in the event of a conflict between the interpretation of a provision of this act and the interpretation of a similar provision contained in any municipal ordinance the interpretation of the provision in this act shall apply to such municipal ordinance

Section 13 Separability If any clause sentence paragraph or part of this act or the application thereof to any person or circumstance shall for any reason be adjudged by a court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder of this act nor the application of such clause sentence paragraph or part to other persons or circumstances but shall be confined in its operation to the clause sentence paragraph or part thereof and to the persons or circumstances directly involved in the controversy in which such judgment shall have been rendered It is hereby declared to be the legislative intent that this act would have been adopted had such provisions not been included or such persons or circumstances been expressly excluded from their coverage

Section 14 This act shall take effect in thirty days except that all reference to provisions relating to discrimination on account of age shall not become effective until July 1 1956

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. TOLL. Mr. Speaker, I would like to say a few words in connection with this conference report urging the membership of the House to concur and support the recommendations which were made.

In the first place, let me say that the members of the Committee on Conference gave this matter the most serious consideration. They met on the 27th of September in the room behind the Senate Chamber and all six Members participated. The conference lasted approximately an hour and a half.

Let me say there were five areas of special concern which were considered by the Committee. I can also say that every Member of the Committee participated in the conference very seriously, because this is a bill in which both parties were extremely interested and which is extremely important to the people of Pennsylvania.

On the question of age, the Conference Committee discussed it for approximately one hour. Every conceivable feature, every conceivable proposition which could be presented I believe was presented and seriously discussed and the age proposition was not changed. The amendment which was put in by the Senate was permitted to remain after it was felt that nothing could be

done to make the change suitable to the entire Assembly so that this bill would be passed at this particular time.

Bear in mind that I believe both sides were extremely anxious to have a bill passed and at the same time were extremely anxious to present a report without undue delay.

The next area of discussion concerned the question of how many employers would be covered by this bill. As the amendment read, 25 employes was the amount covered. The controversy was such that any number of changes were submitted. I believe this particular feature also was considered at considerable length and the final decision to reduce it to twelve represented a compromise in the best interests of the entire matter, although considerable and strenuous efforts were made to reduce the number of employes involved so that the greatest number of employers would be covered. However, twelve represented a compromise.

The next three points of real importance were adjusted by the cooperation of the entire group of conferees. The matter of the adjustment of the filing of a complaint, which was amended by the Senate to 60 days and originally fixed as six months, was settled at 90 days.

The matter of having the district councils in the various portions of the state supplied with technical and clerical help was also adjusted so that they will have clerical help even though the council members served without compensation.

Finally, the definition of the word "non-partisan," so that the confusion which resulted from the language in the original amendment concerning the number that were supposed to be appointed by the Governor and those who were to belong to one party or another, was also adjusted and satisfactorily considered.

Let me say that this is the best possible bill the Conference Committee could have presented. This I would say is my own opinion, and I can say I believe on behalf of our colleague, Mr. Moran, that it is the best bill we could get as far as our side was concerned which could be presented to the people and which would be passed by the Assembly.

I also say that after the conference report was signed on the same day by unanimous consent and we had an opportunity to go back home we were pleased to learn that the Conference Committee report met with support from the civic groups, the religious groups, the industrial groups and the labor groups. In fact, I would like to quote from one letter which was sent to all Members of the House from which the general consensus and the general attitude of the public can be summed up.

The language of the second paragraph of the letter issued by the Pennsylvania Federation of Labor was:

> "There may be those who wanted more (we, among them) and others who wanted less. However, the Joint Conference Committee has introduced in the best American tradition a compromise reconciling divergent views which reflects a most sincere effort by the conferees."

I heartily endorse the view which is presented by the Pennsylvania Federation of Labor.

I also would like to quote another paragraph which says:

> The ultimate pasage of this legislation can serve to demonstrate to the people of this Commonwealth in particular, and the people of this country and the world over in general, that Pennsylvania means to end discrimination as a practice and a policy in the economic life of our Commonwealth.

I believe, as far as I was concerned, I tackled this meeting and this conference with all the energy which existed in me as a practicing lawyer if I had a case of the greatest importance. I can also say that our collegue, Mr. Moran, and our colleague on the Committee from the Republican side, the Minority Leader, were extremely cooperative and presented every favorable suggestion toward the completion of the report on the afternoon on which it was discussed.

I sincerely urge you to accept this report in the manner in which it was drawn and concluded by the conferees and to support its recommendation.

On the question recurring,

Will the House adopt the report of the Committee on Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Adam,	Frascella,	McCann,	Schuster,
Amarando,	Frost,	McCormack,	Sherman,
Anderson, M. S.,	Gaffney,	McGee,	Sigman,
Anderson, S. A.,	Garlock,	McLaughlin,	Smith, C. C.,
Ashton,	Gelfand,	McWherter,	Smith, Wm. B.,
Auker,	Gibson,	Meholchick,	Snider,
Barnatovich,	Goldstein,	Metz,	Stank,
Bazin,	Gramlich,	Mihm,	Stebbins,
Bell,	Greenwood,	Mikula,	Steckel,
Boies,	Guss,	Miller,	Stephens,
Bonner,	Hamilton, R. K.,	Mills,	Stevenson,
Boory,	Hass,	Monroe,	Stone,
Bower,	Haudenshield,	Moody,	Stoner,
Branca,	Heavey,	Moran,	Strausser,
Breisch,	Henzel,	Mullen,	Stroup,
Brennan, A. P.,	Hocker,	Munley,	Swartz,
Brennan, J. J.,	Holt,	Murphy,	Taylor,
Breth,	Horst,	Murray, H. P.,	Thomas,
Brown,	Isaacs,	Murray, P. G.,	Thompson,
Bucchin,	Johnson,	Musto,	Toll,
Bullen,	Jones, G. E.,	Needham,	Toomey,
Capano,	Jones, T. H. W.,	Ogilvie,	Varner,
Cianfrani,	Jump,	Olsen,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Verona,
Cochran,	Kehler,	Pacchioli,	Wall,
Comer,	Kent,	Parry,	Wallace,
Connelly,	Kolankiewicz,	Paulhamus,	Walsh,
Cooper,	Kooker,	Petrosky,	Wargo,
Curwood,	Kornick,	Pettigrew,	Weidner,
Davis,	Kromer,	Polaski,	Welsh,
Donahue,	Kubacki,	Polen,	Wescott,
Donaldson,	Lawyer,	Price,	Wheeler,
Dougherty,	Leiby,	Pursley,	Whitenight,
Down,	Leisey,	Readinger,	Willaredt,
Ehrgood,	Leonard,	Reibman,	Williams,
Erb,	Leven,	Reidenbach,	Wilt,
Eshleman,	Light,	Renwick,	Wood,
Ewing,	Limper,	Rigby,	Worley,
Farabaugh,	Lopresti,	Rosen,	Yetter,
Filo,	Lovett,	Rovansek,	Yetzer,
Fineman,	Lutty,	Royer,	Young,
Flint,	Magee,	Rubin,	Ziegler,
Floyd,	Mahan,	Rudisill,	Andrews,
Flynn,	Markley,	Sarraf,	Speaker
Frank,	Maxwell,	Scarcelli,	

NAYS—5

Agnew,	Houk,	Moscrip,	Waterhouse,
Banker,			

NOT VOTING—27

Blair,	Hamilton, W. H.,	Kratz,	Naugle,
Brenninger,	Helm,	Lafore,	Pashley,
Eilberg,	Hewitt,	Lippincott,	Pomeroy,
Foster,	Jenkins,	McInroy,	Spencer,
George,	Keller,	McKeever,	Tompkins,
Gibb,	Kline,	Muldowney,	Varallo,
Guthrie,	Knecht,	Murray, J. J.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, because of the fact that we are meeting over the noon hour, many of the Members have inquired as to whther they might have a few minutes to go to lunch.

I would like to advise the membership now that the procedure which will be followed for the next 15 or 20 minutes will relate only to concurrences or non-concurrences in House and Senate bills, also, I believe Mr. McCormack has asked recognition for a few minutes to make a brief address, so that if anyone wants to go out for the next 15 minutes and eat he will not miss much.

The SPEAKER. The Chair recommends that the Majority Leader bid a considerable number of his departing Members goodbye.

Of course, immediately when the House gets back to serious business it is quite possible to have another quorum call.

PERMISSION TO ADDRESS HOUSE

Mr. McCORMACK asked and obtained unanimous consent to address the House.

Mr. Speaker, preliminary to my address I would like to interrogate the Chairman of the Conservation and Wild Life Committee of the House, if he is in the House.

The SPEAKER. Will the gentleman from Clearfield, Mr. Breth, Chairman of the Conservation and Wild Life Committee, consent to be interrogated?

Mr. BRETH. Mr. Speaker, I would like at least a minute to confer with the gentleman before being interrogated.

Mr. McCORMACK. Very well, Mr. Speaker.

The SPEAKER. The gentleman assumes a lawyer's privilege and desires a side bar conference before—

Mr. BRETH. I beg your pardon, Mr. Speaker. I will add to the confusion and withdraw my request.

Mr. McCORMACK. Mr. Speaker, I will then ask Representative Breth whether or not he recalls that on September 19th on the floor of this House at a side bar conference between him and me I informed the gentleman that a situation had developed in Clinton County with respect to the County Treasurer there, who made a ruling prior to the actual date of the issuance of antlerless deer permits that non-residents of that particular county would not be issued the permits? Does the gentleman recall that conversation?

Mr. BRETH. I recall the general trend of the conversation, yes.

Mr. McCORMACK. And does the gentleman recall, Mr. Speaker, my further inquiring of him as to just what I should do, and his answer was to me, in effect, that it was a violation of the law for the County Treasurer of that county or any other county to refuse to issue a permit on that basis, he had no right to do it, and as a matter of fact it was a crime. Does the gentleman recall that?

Mr. BRETH. I recall something about that. However, I do not believe I was competent enough to judge whether or not a crime had been committed. I think the gentleman was the one to suggest it. Being a well-informed and experienced Philadelphia lawyer, he would know about those things.

Mr. McCORMACK. I will ask the gentleman further, Mr. Speaker, whether or not he told me it was not only a crime, but that the person from Philadelphia should go up to the County Teasurer on the day the permits were issued, present his properly executed application and his 1955 hunters' license and demand a permit from the County Treasurer, and that he should have somebody there behind him as a witness. Does the gentleman recall that?

Mr. BRETH. I do not recall all of those things, no, Mr. Speaker. In fact, maybe it is a play upon words.

Mr. McCORMACK. The gentleman does not deny then that — — —

Mr. BRETH. Mr. Speaker, I do not think I informed the gentleman that it was a crime. Maybe I said it would be a crime for the man not to get his license if he appeared in that manner.

Mr. McCORMACK. Mr. Speaker, I would ask the gentleman further if in 1955 we have an antlerless deer season in Pennsylvania?

Mr. BRETH. We do, Mr. Speaker.

Mr. McCORMACK. And how are the permits issued, Mr. Speaker?

Mr. BRETH. Mr. Speaker, I believe if the gentleman will bear with me, I can—I think I understand what he is getting at.

Mr. McCORMACK. Mr. Speaker, I will ask one thing more. Does the gentleman have a copy of the letter which I sent out to the County Treasurer of Clinton County?

Mr. BRETH. I don't have it, but I read it, Mr. Speaker.

Mr. McCORMACK. The gentleman did read it, Mr. Speaker?

Mr. BRETH. I did, Mr. Speaker.

Mr. McCORMACK. Then I am finished interrogating.

Mr. Speaker, I would now ask to make a brief statement.

Being from Philadelphia County, prior to this occurrence I knew very little, if anything, about the regulations pertaining to the issuance of hunting licenses and antlerless deer permits. but on September 19th it was brought to my attention by a constituent of mine, who owns property up in Clinton County, who is a resident of Philadelphia, a citizen of the Commonwealth of Pennsylvania and who has a 1955 hunting license, that the County Treasurer of Clinton County made a ruling that non-residents of Clinton County would not be issued permits. I then came to this House on September 19th and conferred with Mr. Breth, the conversation was developed in this interrogation.

After that I wrote a letter to this constituent of mine and told him to take that letter to the County Treasurer on the day that the doe permits were issued. The gentleman went to considerable time and trouble to appear in Clinton County on the particular day, and he was denied a permit on the sole basis that he was not a resident of Clinton County.

Unquestionably, what he did is a denial of the equal protection of the laws for citizens. He had no basis in law or in fact to deny it. I therefore wrote a letter to

the County Treasurer, and I would like to read that letter into the record at this time and let my case rest with the Members of the House.

I might add that a copy of this letter was sent to Dr. Logan J. Bennet, Executive Director of the Game Commission, Representative Harris G. Breth and the Honorable Henry B. Leader. The letter was sent on October 2nd, and to this day I have had no response from anyone. The letter is as follows:

"Re: Anthony Mazzocca, 3445 North 10th Street, Philadelphia, Pa.

"Richard K. Sweeley, County Treasurer, Clinton County, Lock Haven, Pa.

Dear Sir: It has come to my attention that on Monday, September 26, 1955, you refused to issue an antlerless deer permit to Mr. Mazzocca, a constituent of mine, when he personally appeared at your office with his 1955 resident Pennsylvania hunting license, proper identification and a completed application for said permit. Mr. Mazzocca informed me that the sole basis for your refusal was that he was not a resident of Clinton County.

Anticipating your refusal, Mr. Mazzocca asked me for a letter stating that it would be a violation of the law for you to issue permits on any other than a first come-first served basis, everything being equal. Mr. Mazzocca informed me that he presented this letter to you when you singled non-residents of Clinton out of line on September 26 and informed them that you were not issuing permits to them, but that you disregarded the contents of same and informed him that you had been to Harrisburg and while there were given assurance that you could, in effect, discriminate. I would be interested in ascertaining who in Harrisburg gave you such assurance.

I should like to point out to you that in order to appear personally at your office last Monday, Mr. Mazzocca travelled over 240 miles and lost a day's wages doing so. Mr. Mazzocca is a joint owner of a hunting lodge in Tamarack, Clinton County, and has been hunting for 8 years there. Also, he is a member of Western Clinton Sportsman's Association. I suppose it little matters that each season he supplies 70 bushels of corn for the game or that his lodge purchased and planted on their land in Clinton 24 chestnut trees for the turkeys, or that he and his four lodge brothers from Philadelphia have held Christmas parties for the poor children in Clinton County.

Frankly, I am at a loss to understand how you interpret the law to permit you to discriminate between citizens of this Comonwealth. I am not aware of any provision in our game laws which gives you such a right. Unless I hear from you to the contrary within one week from the date of receipt of this letter, I shall assume that you acted in violation of the law.

This arrogation of powers is intolerable and I do not intend to let the matter rest. It is certainly not only a violation of the letter and spirit of the law and unsportsmanlike conduct on your part but also pretty shabby treatment of a fellow citizen and resident of this Commonwealth.

As a consequence of your actions, I intend, within the next two weeks, to denounce and expose them on the floor of the House of Representatives and ask the House to investigate this whole matter. Furthermore, I intend to present this as evidence to the Secretary of Revenue and the Pennsylvania Game Commission and demand from them that the Department of Revenue recall your appointment because you have not complied with the requirements of the law in issuing permits."

"Very truly yours, Thomas J. McCormack."

The SPEAKER. The Chair requests the gentleman from Crawford, Mr. Kent, to preside temporarily.

Mr. KENT in the Chair.

PERMISSION TO ADDRESS HOUSE

Mr. FILO asked and obtained unanimous consent to address the House.

Mr. Speaker, for the information of Mr. McCormack, I do not know whether he was present yesterday when I addressed the House regarding this doe season and the inequities that lie in this particular piece of legislation.

I stated yesterday that I would make an attempt to rectify the mistakes, and as a result today I introduced into the House of Representatives a bill amending the Act of June 3, 1937, which reverts back to the old law whereby any hunter may purchase a doe license in his own county and he would have the right to hunt in any county that he sees fit.

This bill was just introduced today, and I hope with the cooperation of the Committee on Conservation and Wild Life we get this bill out with dispatch, and we will find that we will have less trouble in the end.

PERMISSION TO ADDRESS HOUSE

Mr. LEONARD asked and obtained unanimous consent to address the House.

Mr. Speaker, I desire to get into the record a condition faced by citizens of Allegheny County who own property in Bedford County and pay taxes in Bedford County. They made application for doe license.

They were asked, "Are you voters?"

The answer came back, "No, but we are taxpayers in Bedford County."

"Only voters get licenses out of Bedford County," was the reply.

PERMISSION TO ADDRESS HOUSE

Mr. BRETH asked and obtained unanimous consent to address the House.

Mr. Speaker, there has undoubtedly been created throughout the state considerable confusion in the issuing of these antlerless deer permits this year.

The basis for the confusion, of course, is in the fact that not enough permits were given as quotas to individual counties to supply the demand for those permits in those counties.

At a conference which was held last June at which the Attorney General's office was represented, the Pennsylvania Game Commission was represented by its Executive Director and a couple of Members—the House was represented by Mr. Banker and myself. The Senate was invited to be represented. The officials within the Game Commission who were supposed to know the most about the deer situation in Pennsylvania were also present at that conference.

During the conference the situation was discussed as to how many antlerless deer permits should be issued and where they should be issued. The Game Commission officials, the management officials, who were supposed to know most about the deer situation, said that in about a dozen counties stretching through the central part of Pennsylvania, ranging from the northern counties, Potter,

Clinton, Clearfield and Centre, straight down to the Maryland line, there were about a dozen counties which did not need nor require a doe season this year.

The number of permits to be issued was discussed and the consensus was that if the Game Commission issued 300,000 or more antlerless deer permits in the counties they would open and still keep these other counties closed, there would be little or no confusion among sportsmen in acquiring the necessary special permit.

I left that conference with Mr. Banker and others fully believing that if and when the Game Commission did declare a doe season, the counties within the central part of the state, a dozen or more would be kept closed.

The reason we were delighted that the Game Commission had in prospect to keep those counties closed was because two years ago during the last special antlerless deer season there was extreme confusion all over the state, when the Game Commission saw fit to issue only 103,000 special permits. There was confusion, considerable confusion, threats of lawsuits, and all sorts of things.

We were very much surprised, and I personally was astonished, when the Game Commission finally issued its ruling early in July and we saw that 66 out of the 67 counties had been opened for antlerless deer permits. I was actually—I don't have a word at hand, but I was more than astounded when I saw that some counties with high hunting pressure were getting as low as 2,000 antlerless deer permits. Blair County was one of them with only 2,200. There were other counties with permits on a quota which could only add to more confusion when the sportsmen tried to get them.

I present those facts to this House not in defense of the antlerless deer law as written today, but because of the fact that it is the administration of that law which is the basis of the confusion.

We have various bills introduced to do certain things, such as postponing doe seasons for three years, not permitting the Game Commission to have doe seasons in a county until a herd has had a chance to build up and we have other bills which have an effect on this problem. Representative Filo has told you that he is introducing a bill today designed to eliminate the confusion.

I have told various Members of the Game Commission, I have told sportsmen all over the State, that if sufficient licenses were issued in any single county to take care of the demands for that county, there would be no confusion. It does not need to be wide open, but if the law is properly administered by the Game Commission, and the Game Commission recognizes that they cannot issue a couple of hundred paltry licenses in a highly hunted county like Clinton County, or Potter County, or Monroe County, or various other counties where the hunters pour in, this confusion would not exist.

I also wish to say that I have no pride of sponsorship in any particular legislation having to do with this problem. I want to remind this House that that bill was passed in 1949. It was sponsored by Representative Goodling from York, and I co-sponsored it on this side of the House. It was a Republlican dominated committee, although it was practically a non-partisan committee, with very little argument in the Conservation Committee of the House. Representative Goodling sponsored that bill, and it was passed by a Republican House, passed by a Republican Senate, signed by a Republican Governor, and, of course, the votes on it were almost unanimous.

I say, Mr. Speaker, that it is a problem, but I do say that it appears to be more of an administrative problem in setting up the quotas for the various counties rather than the mechanics of the law itself.

However, as Chairman of my Committee I am only a servant of the House. If the House in its wisdom and experience wishes to change that law or any other law regarding hunting and fishing, I certainly would not be the one to stand in direct opposition to the change.

INTERROGATION

Mrs. DONAHUE. Mr. Speaker, I would like to interrogate Mr. McCormack.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. McCormack, permit himself to be interrogated?

Mr. McCORMACK. I shall, Mr. Speaker.

Mrs. McCORMACK. Mr. Speaker, I would like to ask Mr. McCormack if the man from Philadelphia in whom he is interested knew the ruling before he came to Lock Haven to purchase his licens?

Mr. McCORMACK. Was he aware of the fact, Mr. Speaker, that the County Treasurer of Clinton County was going to refuse him a permit on the sole basis that he was a resident of Philadelphia and not a resident of Clinton County?

Mrs. DONAHUE. That is right, Mr. Speaker. Was he aware of it before he came to Clinton County?

Mr. McCORMACK. To get his permit, Mr. Speaker?

Mrs. DONAHUE. To get his permit, Mr. Speaker.

Mr. McCORMACK. Yes, Mr. Speaker.

Mrs. DONAHUE. I understand the way the law is today, Mr. Speaker, that the House would not have any jurisdiction over what our County Treasurer did, but the Game Commission has that ruling. Is that true?

Mr. McCORMACK. Mr. Speaker, my understanding of the law—and I knew very little of it until I got into this—is that the County Treasurer in addition to his duties as County Treasurer, to which office he is elected, is in the issuance of these permits an agent of the Secretary of Revenue. He is the duly constituted agent of the Department of Revenue in the issuance of these permits, therefore, he is subject to the rulings of the Department of Revenue.

Mrs. DONAHUE. I was wondering, Mr. Speaker, if the Commission did not set up this ruling whereby we would only have 2,000 licenses in Clinton County and we sell close to 6,000. It would be an imposibility for all of the 6,000 to buy permits for the doe season.

I would like to state, Mr. Speaker, that we have had trouble in Clinton County in the selling of our doe licenses and Mr. Sweeley tried to appease the people of Clinton County who supported him in his election.

Mr. McCORMACK, do you known that Mr. Sweeley was trying his best to satisfy his own people as to the doe permits?

Mr. McCORMACK. Yes, Mr. Speaker, I certainly do know that he was trying to satisfy his own voters because there was a scarcity of doe permits, but I say further that in doing so he was acting unconstitutionally. He has no right under this law or any other law in this Commonwealth to discriminate between citizens of the Commonwealth of Pennsylvania and residents of other

counties within the Commonwealth than Clinton County. He has no right to do that.

Mrs. DONAHUE. Mr. Speaker, this is not anything for the Legislators to decide due to our present law, but it is up to the Commission. Is that right, Mr. Speaker?

Mr. McCORMACK. Mr. Speaker, is that question directed to me? If it is—

Mrs. DONAHUE. Mr. Speaker, under the present law.

Mr. McCORMACK. Under the Act of June 3, 1937, the Game Law, I understand the County Treasurers are designated as agents for the issuance of certain licenses—or, rather, the Department of Revenue, and under this Act the County Treasurer is made an agent for the issuance of the doe permits.

Therefore, the Game Commission and the Department of Revenue can recall his appointment if he acts negligently or violates the law as an agent for the Department of Revenue.

Mrs. DONAHUE. Did I understand, Mr. Speaker, that his treasureship could be recalled by the Department of Revenue when the Game Commission has given this permission to sell the doe permits?

Mr. McCORMACK. Mr. Speaker, he is an agent for the collection of the fees and the revenues. Therefore, he is subject to the Department of Revenue, and the Secretary of Revenue, if he violates the law, is directed in the law to recall his appointment, or the Game Commission can suggest to the Secretary of Revenue that he has violated the law. That is in the Act of 1937, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. FILO asked and obtained unanimous consent to address the House.

Mr. Speaker, if what I heard is true and correct, that a treasurer of that particular county has to appease his own people for his election, then I say the law is wrong. And I want to differ with Mr. Breth, it is not in the administration of the bill, the bill in itself is bad.

PERMISSION TO ADDRESS HOUSE

Mr. WILLIAM B. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, in our county some of the men and boys went into the mountains to get licenses. They were requested to go to the post office, make out a money order and send it over to the treasurer of that county and they would be issued a license. They had licenses there to issue. So they went over to the post office, took out the money order, sent it over to the treasurer of this particular county, and they received a letter about a week later stating there were no licenses available then, so they were refused a license.

Allow me a couple of seconds on the Game Commission. I think the Game Commission is really in a mess. Some of the boys are going to be hunting at nine o'clock and some of the boys are going to be hunting at ten o'clock, and then I understand the Game Commission is going to arrest all those who are hunting in violation of the game law. The game law tells you that you can hunt at nine o'clock Eastern Standard Time. I just talked to the Game Commission and they tell me that if they are in a community with Daylight Saving Time, they are O.K.; if they are not, they will be arrested. I think that is certainly a mess.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 620.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating speed in certain political subdivisions further prescribing enforcement and penal provisions and imposing duties on certain pedestrians.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 12, by striking out after the word "speed" the words "designating a traffic court."

Amend Section 3, page 5, line 17, by striking out brackets before and after the words "one quarter (¼)"; line 18, by striking out after the figures "(¼)" the following: "one eighth (⅛); page 5, line 19, by striking out at the beginning of the line the following: "clearly marked as a police vehicle which shall be"; page 6, line 10, by striking out after the word "timed" the following: "in the manner above set forth for a distance of not less than one quarter (¼) mile" and inserting in lieu thereof the following: "for a distance of not less than one-quarter (¼) mile by a peace officer using a motor vehicle equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation;" Section 4, page 7, line 13, by striking out after the part-word "trate" the following "or before a special traffic court as provided in subsection (c) of this section;" page 9, by striking all of lines 3 to 14 inclusive.

Section 4, page 9, line 17, by inserting after the word "the" the words "first and;" page 10, line 3, by striking out after the word "the" the word "court" and inserting in lieu thereof the following: "nearest available magistrate;" page 10, line 12, by striking out after the word "the" the words "special traffic court" and inserting in lieu thereof the words "nearest available magistrate;"

page 11, line 2, by striking out after the word "to" the words "the court" and inserting in lieu thereof the words "such magistrate;" page 11, line 3, by striking out after the word "appear" the following: "at the special traffic court;" page 11, line 5, by striking out after the word "fine" the words "to the special traffic court."

On the question,

Will the House concur in the amendments made by the Senate?

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1630.

An Act amending the act of May 1 1929 (P L 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating registration of antique motor vehicles

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

THE SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 5, page 7, line 7, by striking out after the word "be" the following: "five ($5.00) dollars" and inserting in lieu thereof "twenty ($20.00) dollars".

On the question,

Will the House concur in the amendments made by the Senate?

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 455.

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Auhorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" eliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by one Authority from another Authority

Mr. READINGER. Mr. Speaker, I move that the House recede from its amendments non-curred in by the Senate to Senate Bill No. 455.

On the question,

Will the House recede from its amendments non-concurred in by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Kolankiewicz,	Pacchioli,	Walsh,
Cooper,	Kooker,	Parry,	Wargo,
Curwood,	Kornick,	Paulhamus,	Waterhouse,
Davis,	Kromer,	Petrosky,	Weidner,
Donahue,	Kubacki,	Pettigrew,	Welsh,
Donaldson,	Lawyer,	Polaski,	Wescott,
Dougherty,	Leiby,	Polen,	Wheeler,
Down,	Leisey,	Price,	Whitenight,
Ehrgood,	Leonard,	Pursley,	Willaredt,

Erb,	Leven,	Readinger,	Williams,
Eshleman,	Light,	Reibman,	Wilt,
Ewing,	Limper,	Reidenbach,	Wood,
Farabaugh,	Lopresti,	Renwick,	Worley,
Filo,	Lovett,	Rigby,	Yetter,
Fineman,	Lutty,	Rosen,	Yetzer,
Flint,	Magee,	Rovansek,	Young,
Floyd,	Mahan,	Royer,	Ziegler,
Flynn,	Markley,	Rubin,	Andrews,
Frank,		Rudisill,	Speaker

NAYS—0

NOT VOTING—24

Blair,	Guthrie,	Knecht,	Muldowney,
Brenninger,	Hamilton, W. H.,	Kratz,	Pashley,
Eilberg,	Helm,	Lafore,	Pomeroy,
Foster,	Hewitt,	Lippincott,	Spencer,
George,	Keller,	McInroy,	Tompkins,
Gibb,	Kline,	McKeever,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the House receded from its amendments noncurred in by the Senate.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 834.

An Act amending the act of May 9, 1949 (P. L. 927), entitled "An act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, for their official acts and the services of their deputies, watchmen, appraisers, and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the county, including the compensation of special deputies, providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general, special or local," changing fees, commissions, mileage and other costs chargeable by sheriffs.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

THE SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 11, line 13, by striking out the brackets before the word "one" and after the word "dollar"; page 11, line 13, by striking out after the word "dollar" the words "two dollars;" Section 1, page 12, line 14, by striking out the brackets before and after the word "ten"; page 12, line 13, by striking out after the word "ten" the words "twelve and one-half"; Section 1, page 17, line 5, by striking out the brackets before and after the word "ten"; page 17, line 5, by striking out after the word "ten" the words "twelve and one-half."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1339.

An Act amending the act of March 10 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing for the terms of office of school directors of union and merged districts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

THE SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend bill page 3, by striking out all of line 3, as follows: "Section 2 Section 312 of the act is repealed."

On the question,

Will the House concurr in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I move that the House non-concurr in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. READINGER. Mr. Speaker, I move that House Bill No. 340, Printer's No. 999, together with the communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 340.

An Act amending the act of April 17 1947 (P L 63) entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases" extending the provisions of the act to cities of the second class excluding certain land from condemnation and further regulating the use of parking garages

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

THE SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, line 1, by striking out after the figures "63" the following: "No. 29"; line 3, by striking out the brackets before and after the word "any"; page

2, line 1, by striking out after the word "class" the word "and" and inserting in lieu thereof the following: "excluding certain land from condemnation and further regulating the use of parking garages";

Amended Section 1, page 2, line 1, by striking out after the word "and" the following: "section 1" and inserting in lieu thereof the following: "Sections 1 and 2 of"; line 2, by striking out after the figures "63" the following: "No. 29";

Page 3, line 11, by inserting after the word "highways" the following: "except that no property in cities of the second class which" and by striking out "at the effective date of this act" and inserting the following:
is used as a facility or facilities for the parking of motor vehicles so long as said property is continuously so used and so long as the operation of the said facility complies with parking and traffic ordinance of the city shall be taken by condemnation for such purpose provided however that no property devoted to a public use nor any property of a public utility company property used for burial purposes nor places of public worship shall be condemned

Amend the Bill, page 4, line 6, by inserting the following:

Section 2 Whenever any lands shall be acquired by any such city for parking lots or garages they may be operated by such city as parking lots or garages for parking motor vehicles only but not for the sale or distribution of any commodity except that portions of the street level or lower floors of the parking garages may be leased for commercial use including emergency automobile repair service and the sale by any lessee of the city of any commodity of trade or commerce or any service except the sale of gasoline or automobile accessories or when so provided by ordinance they may be let to and for private operation as parking lots or garages or such terms and conditions as may be prescribed by ordinance

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 386.

An Act amending the act of March 26 1931 (P L 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" providing a fee for services in cases removed to any appellate court of this Commonwealth or to any court of the United States

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

THE SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 8, by striking out after the word "review" the word "one" and inserting in lieu thereof the word "two".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,

Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numberd and entitled as follows:

HOUSE BILL No. 705.

An Act providing for the payment of certain outstanding checks more than seven years old and making appropriations therefor

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

THE SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 1, by striking out after the figures "24" the figures "1944" and inserting in lieu thereof the figures "1943"; line 4, by striking out after the word "Fund" the figures "417.64" and inserting in lieu thereof the figures "779.26";

Amend Section 2, page 2, line 7, by striking out after the figures "24" the figures "1944" and inserting in lieu thereof the figures "1943";

Amend the bill, page 3, line 11, by striking out all of Section 6, as follows: "Section 6 This act shall take effect June 1 1955"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1003, Printer's No. 964, together with the communcation from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1003.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," authorizing the issuance of special permits for a limited period to certain nonresidents.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 6, by inserting after the word "workmen" the following: "to be employed on Pennsylvania farms;" page 4, line 7, by striking out after the word "for" the following: "use in harvesting seasonal crops" and inserting in lieu thereof the following: "seasonal crop operations on Pennsylvania farms;" page 4, line 18, by striking out after the word "or" the following: "in harvesting seasonal crops" and inserting in lieu thereof the following: "seasonal crop operations on Pennsylvania farms;" Page 5, line 2, by inserting after the word "Commonwealth" the following: "Vehicles for which special permits are obtained pursuant to this subsection shall be subject to inspection of their mechanism and equipment as required of other vehicles by this act."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Flynn,	Magee,	Royer,	Ziegler,
Floyd,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1332.

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine. (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by regulating the salary of mine inspectors

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 8, by striking out after the word "annum" the words "eight thousand one hundred dollars ($8100)" and inserting in lieu thereof "eight thousand five hundred dollars ($8500)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adam,	Frascella,	Markley,	Rudisill,
Agnew,	Frost,	Maxwell,	Sarraf,
Amarando,	Gaffney,	McCann,	Scarcelli,
Anderson, M. S.,	Garlock,	McCormack,	Schuster,
Anderson, S. A.,	Gelfand,	McGee,	Sherman,
Ashton,	Gibson,	McLaughlin,	Sigman,
Auker,	Goldstein,	McWherter,	Smith, C. C.,
Banker,	Gramlich,	Meholchick,	Smith, Wm. B.,
Barnatovich,	Greenwood,	Metz,	Snider,
Bazin,	Guss,	Mihm,	Stank,
Bell,	Hamilton, R. K.,	Mikula,	Stebbins,
Boles,	Hass,	Miller,	Steckel,
Bonner,	Haudenshield,	Mills,	Stephens,
Boory,	Heavey,	Monroe,	Stevenson,
Bower,	Henzel,	Moody,	Stone,
Branca,	Hocker,	Moran,	Stoner,
Breisch,	Holt,	Moscrip,	Strausser,
Brennan, A. P.,	Horst,	Mullen,	Stroup,
Brennan, J. J.,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Toomey,
Cianfrani,	Jump,	Naugle,	Varner,
Cioffi,	Kamyk,	Needham,	Vaughan,
Cochran,	Kehler,	Ogilvie,	Verona,
Comer,	Kent,	Olsen,	Wall,
Connelly,	Knecht,	O'Neil,	Wallace,
Cooper,	Kolankiewicz,	Pacchioli,	Walsh,
Curwood,	Kooker,	Parry,	Wargo,
Davis,	Kornick,	Paulhamus,	Waterhouse,
Donahue,	Kromer,	Petrosky,	Weidner,
Donaldson,	Kubacki,	Pettigrew,	Welsh,
Dougherty,	Lawyer,	Polaski,	Wescott,
Down,	Leiby,	Polen,	Wheeler,
Ehrgood,	Leisey,	Price,	Whitenight,
Erb,	Leonard,	Pursley,	Willaredt,
Eshleman,	Leven,	Readinger,	Williams,
Ewing,	Light,	Reibman,	Wilt,
Farabaugh,	Limper,	Reidenbach,	Wood,
Filo,	Lopresti,	Renwick,	Yetter,
Fineman,	Lovett,	Rigby,	Yetzer,
Flint,	Lutty,	Rosen,	Young,
Floyd,	Magee,	Rovansek,	Ziegler,
Flynn,	Mahan,	Royer,	Andrews,
Frank,		Rubin,	Speaker

NAYS—1

Worley,

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 1628.

An Act making an appropriation to the Department of Public Instruction for payments to school districts on account of rentals payable to municipal authorities and nonprofit corporations

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments, as follows:

Amend title, page 1, line 1, by striking out after the word "making" the words "a deficiency"and inserting in lieu thereof the word "an"

Amend Section 1, page 1, line 3, by striking out after the word "Instruction" the following: "for the two fiscal years beginning June first one thousand nine hundred fifty-three for the payment of the deficiency in the appropriation;" page 2, line 2, by striking out after the word "rentals" the word "payable" and inserting in lieu thereof the following: "paid by such school districts;" page 2, line 4, by inserting after the word "corporations" the following: "during the two fiscal years beginning June first one thousand nine hundred fifty-three."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

NAYS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, W. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Oglivie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1637, Printer's No. 973, together with the communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 1637.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

An Act making an appropriation to the Department of Property and Supplies for the payment of annual rates rentals and other charges to the General State Authority

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the following: "twenty-three million dollars ($23,000,000)" and inserting in lieu thereof "twenty-five million five hundred thousand dollars ($25,500,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, W. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stoner,
Bower,	Henzel,	Moran,	Stone,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 306.

An Act amending the act of May 16, 1921 (P. L. 579), entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third, fourth, and fifth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safekeeping, discipline, and employment of prisoners and the government and managemet of said jails or county prisons," further regulating the expenditures of moneys by the board without advertising and awarding of contracts.

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 3, page 3, line 3, by striking out after the word "of" the following: "over (one hundred) seven hundred fifty dollars shall be publicly advertised in the newspapers authorized to do the county advertsing and be given to the lowest and best bidder" and inserting in lieu thereof the following: "funds from the county treasury shall be made in accordance with the procedures set forth in Article XVIII of the Act of August 9, 1955 (P. L.) Act No. 130."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boies,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Ellberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy.	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

MEMBERS REQUESTED TO RETURN TO HALL OF HOUSE

Mr. READINGER. Mr. Speaker, I request that the Chief Clerk be directed by the Chair at this time to notify all Members who might be in the cafeteria or elsewhere that we are about to take up controversial matters in a few minutes.

The SPEAKER pro tempore. The Chair will direct the Chief Clerk to have the Sergeant-at-Arms notify all absent Members to return to their seats immediately as we are about to proceed with controversial business.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 595.

An Act amending the act of March 7 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing cities to regulate or prohibit the construction building or maintenance of certain fences made in whole or in part of wire with barbs

Said bill haxving been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 3, page 2, line 7, by strking out after the word "fences" the following: "under five feet in height."

On the question,

Will the House concur in the amendment made by the Senate?

Mr. READINGER. Mr. Speaker I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost.	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich.	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boies,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varallo,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Yetter,

Filo,	Lopresti,	Rigby,	Yetzer,
Fineman,	Lovett,	Rosen,	Young,
Flint,	Lutty,	Rovansek,	Ziegler,
Floyd,	Magee,	Royer,	Andrews,
Flynn,	Mahan,	Rubin,	Speaker
Frank,	Markley,	Rudisill,	

NAYS—1

Worley,

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varner,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 162.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 162, Printer's No. 90, entitled "An Act amending the act of March ten one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revisng consolidating and changing the laws relating thereto' increasing rental charge allowed for use of receiving district's school plant in calculating tuition charge per high school pupil to be paid by sending district."

GEORGE M. LEADER.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. ANDREWS. RESOLUTION No. 119.

House of Representatives,
October 14, 1955.

Whereas there appears to be confusion and misunderstanding in various quarters concerning the merit rating status, or lack of status, of various state employees functioning in the various services of the Department of Health, therefore be it

Resolved that a committee of five members of the House be appointed by the Speaker to make inquiry and report to the House:

1. Number of Department of Health employees who are covered by the so-called merit rating formula.
2. Number of Department of Health employees who had merit rating status prior to December 1 last.
3. Number of Department of Health employees who have been given merit rating status since December 1 last.
4. Number of Department of Health employees who have civil service status.
5. Number of Department of Health employees, if any, who have acquired civil service status since December 1, last.
6. Number of Department of Health employees who are not covered by the merit rating formula, or who have not acquired civil service status.
7. Formula of procedure used by advisory boards, or by Department of Health executives, in determining status of Department of Health employees in up-grading, down-grading, or discharging employees functioning in accordance with the so-called merit rating formula.
8. How many Department of Health employes, and in what branches of the service they are employed, who have been blanketed in under merit rating without ever having taken a qualifying examinaton.
9. And such other matters which may be brought to the attention of the committee and which should also be brought to the attention of the General Assembly.

Referred to the Committee on Rules.

By Mr. ANDREWS. RESOLUTION No. 120.

House of Representatives,
October 14, 1955.

Resolved that the Public Health and Sanitation Committee of this House be requested to obtain and report to the House at an early date, the following information:

1. Present status of the toxoid innoculation program in the various counties.
2. Number of first and second innoculations administered.
3. Age bracket of public and private school pupils to whom toxoid has been administered.
4. Number of pupils it is planned to innoculate during the current year.
5. Extent to which the innoculation program has been turned over in various counties to private practitioners operating on a fee basis.
6. Resume of agreements reached, if any, with various county medical society groups.
7. Such other information concerning the pending toxoid innoculation program properly of interest to Members of the General Assembly and the general public.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. PRICE from the Committee on State Government, reported as amended, House Bill No. 681, entitled:

An Act amending the act of January 5, 1952 (P. L. 1833), entitled "An act to provide for the coverage of certain officers and employes of the Commonweallth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act, as amended; creating the State Agency and conferring powers and imposing duties upon the State Agency; authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions; providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employe contributions; authorizing interstate cooperation in certain cases; creating a Contribution Fund; and making appropriations," authorizing the State Agency to enter into agreements with the Secretary of Health, Education and Welfare; further declaring the policy of the General Assembly; redefining certain terms; providing for contributions by employes of the Commonwealth or political subdivisions; and providing for a referendum and certification thereof.

Mr. LUTTY from the Committee on State Government, reported as amended, House Bill No. 1527, entitled:

An Act for the protection of the public health and welfare and the prevention of fraud and deception in the manufacture, preparation, packaging, dispensing and sale of non-alcoholic drinks and the use and operation of automatic or manual dispensing equipment relative thereto; prohibiting the sale, offering or exposing for sale, exchange or the giving away thereof unless registered; providing for licensing of places of manufacture, preparation, compounding, and packaging and the licensing or registration of automatic or manual dispensing equipment; regulating the manufacture, compounding, labeling, selling, sanitation, and the ingredients of non-alcoholic drinks and the display of presses; prohibiting misbranding and adulteration; authorizing promulgation of rules, regulations and standards; providing for penalties and for injunctions in certain cases, and the disposition of fees and fines.

Mr. ROVANSEK from the Committee on Mines and Mining reported as amended, House Bill No. 1755, entitled:

An Act amending the act of June 27, 1947 (P. L. 1095), entitled as amended "An act providing for the regulation of mining of anthracite coal of the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines; providing for appeals, and imposing penalties, and making appropriations," further regulating strip mining operations; making changes with respect to backfilling, restoration, accumulation of water, permits, bonds, penalties and fees; and providing for filing of maps.

Mr. HEAVEY from the Committee on State Government reported as committed, House Bill No. 1786, entitled:

An Act providing for cooperation by the Commonwealth of Pennsylvania, in conjunction with the State of New Jersey, with the United States of America, in the improvement and maintenance of the Delaware River between Allegheny Avenue, Philadelpha, Pennsylvania, and Trenton Marine Terminal, Trenton, New Jersey, and making an appropriation.

Mr. ROBERT K. HAMILTON from the Committee on State Government, reported as committed, House Bill No. 1798, entitled:

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges, transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as heretofore amended and supplemented; authorizing the Governor of either State to veto the action of any commissioner from his State requiring express authorization by the two states for the construction or acquisition of any additional bridge or port and terminal facility, and the administration, operation and maintenance thereof; and authorizing the Governor to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent to such supplemental compact or agreement.

Mr. ZIEGLER from the Committee on Judiciary, reported as committed, House Bill No. 1818, entitled:

A Joint Resoluton proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, authorizng exemptions of parsonages, manses and convents from taxation.

Mr. TOLL from the Committee on State Government, reported as amended, Senate Bill No. 179, entitled:

An Act amending the act of April 25 1929 (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commssions and officers of the State Government" increasing the investment powers of State administrative departments boards commissions or officers.

Mr. WILLIAMS from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 722, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of registration plates to newspaper, newsreel or television photographers.

Mr. SHERMAN from the Committee on Judiciary, reported as committed, House Bill No. 1393, entitled:

An Act amending clauses (1) and (2) of section 2 of the act of June 28, 1951 (P. L. 927), entitled "An act giving liens against real property priority over each other in point of time; fixing the time from which priorities extend; and imposing duties on judges and certain court and county officers and employes" provide that future advances made by a mortgagee, or by a grantee of a defeasible deed in the nature of a mortgage, up to the original amount of the mortgage or deed shall have the same priority and lien as the original mortgage or deed.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1104, Printer's No. 1043 together with the communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1104.

An Act amending the act of April 21 1949 (P. L. 665) entitled "An act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor im-

posing certin restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties" providing for the revision of home rule charters providing for the establishment of a charter revision commission for the purpose of making revisions and imposing duties upon city councils city officials boards of election courts and the Secretary of the Commonwealth

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

THE SPEAKER. The Clerk will road the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 15, by striking out after the word "of" the word "eleven" and inserting in lieu thereof the word "twelve"; page 4, line 17, by striking out after the word "appointed" the word "jointly"; page 4, line 17, by striking out after the word "mayor" the words "and the president of the council"; page 4, line 19, by inserting after the word "commission" the following: "three for a term of one year three for a term of two years three for a term of three years and three for a term of four years thereafter all appointments shall be for a full term of four years"; page 5, line 4, by striking out after the word "than" the words "two-thirds" and inserting in lieu thereof the words "one-half"; page 8, line 8 by inserting after the word "filled" the following: "for the balance of the unexpired term"; page 8, line 3 by striking out after the part word "ing" the words "primary municipal or."

On the quetsion,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

Mr. CHARLES C. SMITH. We on this side of the House desire to concur in the amendments inserted by the Senate. I understood from the Majority Leader that the bill was to be debated from the other side of the House by Mr. Bazin and Mr. Toll.

Is there going to be any debate on the amendments, Mr. Speaker?

Mr. READINGER. Mr. Speaker, in answer to that question I would say that if no debate is necessary on this side there will be none. If the gentleman desires to raise some issues which should be answered, I am sure he will be answered.

Mr. CHARLES C. SMITH. Mr. Speaker, we cannot resist it. I will debate the bill.

Mr. READINGER. Mr. Speaker, I would not want the Chair to think that I am asking them to debate the bill. I am simply saying if he does he will probably be answered from this side.

Mr. CHARLES C. SMITH. Mr. Speaker, we on this side of the House certainly feel that the amendments that have been inserted in House Bill 1104, Printer's No. 1043, are fair amendments. I think that being criticized by Mayor Clark, or anyone else in Philadelphia, that we have been unfair is an unjust criticism.

In the first place Mayor Clark went into office on the basis of being a mayor on a non-partisan basis, he was elected mainly because independent Republicans supported him. There is no reason now, after Mayor Clark has been in office three years, why he should slap the independent Republican in the face. This bill, the way Mayor Clark sent it to this House to be passed, was sent on the basis that two-thirds of the members of the commission shall be registered electors enrolled in the same political party, which would mean as long as they were going to be appointed by the Mayor and by the President of Council that two-thirds would be Democrats.

I do not know why Mayor Clark or the Democrats of Philadelphia think that they have a 100 percent hold on good government. There are a lot of Republicans in Philadelphia who believe in good government. There are a lot of independent Republicans who believe in good government, and some of those independent Republicans are very friendly to Mayor Clark. There would be no reason in this wide world why he could not appoint six Democrats and six independent Republicans that would be favorable to him and favorable to seeing that Philadelphia got a good commission.

You know, Mr. Speaker, it seems peculiar that everybody hesitates about speaking on a bill such as this, but I certainly think I am more qualified than anybody on the other side of the House. I have voted for the city charter bills from beginning to end, before some of the Members who are now supporting it ever sat in this House, and I defy Mayor Clark or any Democrat in this House to point to one blemish on my voting record for the city charter or commission bill for the city of Philadelphia.

As I said to Representative Toll yesterday, if Mayor Clark is fearful that he cannot get Republicans who will see fit to give the people of Philadelphia good government, I will right now volunteer to serve on the commission as a Republican who can say, and whose record speaks for itself, that I have been 100 percent for good government for this commission and for the city charter. I do not have to say that, let them check the record. They know I supported it from the beginning. So let us throw that fear out the window. So immediately if he appoints six Democrats who feel the same way, he has a membership of seven to five, he does not have to worry about that. I think that is a fair proposition to make.

I think it is also fair, Mr. Speaker, to stagger the terms of the Members. They had a little sneaker in the bill that was brought to our attention where it says:

> "Any vacancy in the membership of the commission caused by death resignation or otherwise shall be filled by the appointing power who shall appoint as a member of the commission a registered elector enrolled in the same political party as the member whom such appointee shall succeed."

That meant one thing, if this commission exists just for a year, or if it exists for five years, regardless of who would be in power it would have a two-thirds Democratic control because of two-thirds Democrats on the commission. That is not good government, it is not fair government, let me say that to you, and it is not democracy, that is one of the main things.

We have been criticized for amending out of the original bill in the Senate the part which said the members shall be appointed jointly by the Mayor and the persident of the council within 30 days. Why do you suppose that was? I will tell you why it was. It was a sop to Bill Green, the president of council, so that both factions of the Demo-

cratic party in Philadelphia could be recognized. That is why that was.

There is no reason to believe that is not a fair amendment when we give the mayor the appointive power, and if the members want to change that amendment to give the president of council the appointive powers, we will agree to that, but it should be in one hand and not two because there is always a possibility that we could have a Republican mayor and a Democratic council, or vice versa, so you would be destroying the very thing that the gentleman is now talking about. You would have a split, you would have a Republican and a Democrat appointing members so it should be in the hands of one person.

Another thing they seem to fear is the fact that six members on each side are going to stymie any kind of good government. Let me say I was quite flattered today by Mr. Toll who admitted on FEPC that there were three Republicans and three Democrats working together on FEPC for a good government bill and for a bill that would be for the betterment of the people of Pennsylvania. They worked and compromised and they came out with a bill.

Although it is equally divided, if the men who are placed on this commission are responsible people, I do not think the mayor of Philadelphia or anyone else has to worry that the charter and the people will get unfair treatment.

Mr. Speaker, I ask the Members on this side of the House to vote "aye" and concur in the amendments put in by the Senate.

Mr. TOLL. Mr. Speaker, I am delighted to hear from the Minority Leader o na bill of this character relating to the city.

First let me say he bears an enviable reputation as being the only Republican from the fair city of Philadelphia who has such a remarkable record. It is quite true that he has been absolutely consistent in voting for good government. In fact, I believe in his own heart he would like to see the good government issue taken from the Democrats of the city of Philadelphia and turned over to the Republicans. But unfortunately he is alone in that matter. He is about the only Republican in the City of Philadelphia who has the guts to stand up and vote for the things which benefit our fair city.

In connection with Bills 1104 and 1101 and other issues relating to good government for the city, he has been very consistent. But he has not been followed by his party. The Republican organization of the city of Philadelphia apparently ignores their Minority Leader here in the House, they ignored him when he was the Speaker of the House, he went down the line with all bills which benefited our city and his party did not care about them. They do not care about them right here, which they demonstrated by the way they voted on bills of importance to our city.

They only have five Representatives and the Democrats in the House have 34; in the Senate we have every Senator from every district a Democrat. That shows you what the people of our city think about the Democrats.

Let me call your attention to the fact that in 1951 you had a charter commission which wrote the original charter. That commission had fifteen members on it, that commission was appointed by a Republican mayor of Philadelphia and that commission had more Republicans than Democrats. Why did not someone stand up in 1951 and ask for an even division of membership on the commission. As a matter of fact, I shall go a step further and say that in 1951 when the charter commission was appointed it was also appointed by a mayor and a president of city council. In those days they had a very remarkable man as president of city council, the late Fred Garman. He appointed an unusual and independent Republican committee and this remarkable charter for our fair city was written in such a manner that it gave rise to a lot of howls from many, many quarters, particularly Republican quarters, because Mr. Garman appointed people to serve on that commission who were true independents and they cooperated with the Democratic liberals in writing a remarkable instrument.

Now we are up against the same situation, we are about to get a new commission for revision of the charter. This commission should certainly not be even in its number, it should be divided in the same manner as the 1951 commission so that there should be for a change more Democrats than Republicans. Why bleed from the mouth when you get into such a situation? As soon as the Democrats have an opportunity to get something done, immediately they want equality, they want to be treated on an equal basis, they want an equal number. Nobody worried about that when Republicans had an opportunity to get commissions appointed. We sat through the 1951 session, we sat through the 1953 session, I did not see such an attitude on their part. The only thing we would really want is six to five if a conference committee is appointed to iron it out. The bill was not in its original form when it went to the Senate, it was in its amended form and the Senate amended it further, but not in a manner which you would call judicial or in a manner which you would call giving justice to both sides, but in a manner which indicated they wanted to kill it.

Let me call this to your attention, the six to six situation on many controversial issues would mean a deadlock. I am not the only one who is taking that view. If it were strictly a Democratic view, I would say, well, it is just a viewpoint of a partisan member of the Democratic Party.

In the city of Philadelphia fortunately we have three great newspapers. One of the great newspapers that supports the Republican Party on a national and state level, and mostly on a local level, although I believe they are trying to be as impartial as possible in this particular campaign, in an editorial yesterday made the following comments and they are very good. I hope you will excuse me if I read from this because it says exactly what I am talking about:

> "They're Trying to Amend Charter Bill to death. Who is?
>
> "Amending an unwanted bill to death is a familiar legislative practice. It is being followed at Harrisburg by a number of Republican Senators who dislike Philadelphia's Charter reforms.
>
> "Before their chamber for action was a measure providing an orderly method of revising the Charter. The Republican majority has amended it in such a way as to make it unacceptable to the Democratic-controlled House, which passed the original version of the bill."

Let me pause at this moment and draw your attention to another feature which was just referred to, the feature of the bill which requires the members of the commission

to have the terms staggered, one year, two years, three years, four years. This is not a permanent commission. There is nothing said in this bill that we wanted the commission to revise the charter every year. The only thing that was wanted in this bill was what was wanted in the prior charter bill, that the commission would hear what had to be said, all parties would have an opportunity to present their views, then the commission would file a report, the city council would consider it and present a bill for the public of the city of Philadelphia to vote upon. That is all we wanted. According to the amendment, they are going to keep the commission in office for possibly four years and we will never get a final report.

Incidentally, my learned colleague, Mr. Welsh, whose district runs from beautiful Broad Street to the Falls of the Schuylkill, also wants to give credit to the Philadelphia Bulletin, and I think he should because he tells me that they also had an article of the same nature. I just happened to read yesterday morning's Inquirer and I pulled this out. Let me say without reading all of it, although I have it here and I will give it to the Press and I think it should go into the record. I would like to finish with the last paragraph:

> "This, it seems to us, displays poor political judgment on the part of the Republicans concerned and can only stir resentment among Philadelphia independents. Actually, there is little or no political profit to be gained by anyone in having the Charter revision bill killed off."

Personally, I felt when Mr. Smith got up he would object to some of these features. This thing should go to a conference committee in the same manner as the prior FEPC bill which was so fairly considered and perhaps those who serve on the conference committee concerning this bill will come up with something which will meet with the approval of the independents of the city and of both parties.

Let me say this, in the House when 1104 came up for vote all of the Democratic Members from Philadelphia were solidly behind it. You cannot say a word against our leader Bill Green, because Bill Green was not only behind 1104, he was behind 1101 100 percent. You did not hear one dissenting vote from the Democratic side of the House, but can you say the same for the Republican side? I would say before they make any statements about Bill Green, the leader of the Philadelphia Democratic organization, they should look into their own house first.

Mr. CHARLES C. Smith. Mr. Speaker, if I had the gentleman arguing a case for me—I used to think I might have him sometime, but I think he puts his foot in his mouth.

The gentleman just finished saying that under Red Garman, and I am quoting his own words, true independent Republicans were picked and true Democratic liberals I wonder what makes him think because of the death of Fred Garman that there are not true independent Republicans in the City of Philadelphia today?

Mr. Speaker, this is a bipartisan bill, it is not a Democratic bill nor is it a Republican bill. I think the charter commission was suposed to be bipartisan from the very beginning.

I would like to ask the gentleman if he can point to any spot in this bill of a date of termination of this charter commission?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Toll, permit himself to be interrogated?

Mr. TOLL. I shall Mr. Speaker.

Mr. CHARLES C. Smith. Mr. Speaker, will the gentleman show me anywhere in this bill where the charter commission terminates?

Mr. TOLL. Mr. Speaker, there is no provision in the bill, and the question was raised before by the Minority Leader, concerning a terminating date. The bill only contemplated the filing of a report and vote on the recommendation, it did not contemplate an extension for four years. If the Minority Leader has a suggestion to amend the bill to put a termination date in, I would be very happy to go along.

Mr. CHARLES C. SMITH. Mr. Speaker, the gentleman then states that the commission could go on forever. The bill itself does not terminate it. If perhaps they had put a termination date in the bill, there would have been no need to stagger the commission to see that it was a bipartisan commission in the future. I cannot find one amendment, and if I am wrong I would like the gentleman again to tell me, where there is one amendment inserted by the Senate that would kill this commission bill, or kill the commission—one amendment—or that would hurt the charter.

Mr. TOLL. Mr. Speaker, I am absolutely convinced and I think the Inquirer—I have not any Bulletin articles—is also convinced that the equal division of members may not kill the bill, but may kill many of the problems which are going to be considered and many of the suggestions for revision. I also feel it is absolutely unfair to believe that any president of our city council would be so injudicial as to be completely partisan in the appointment of members on this commission.

Mr. CHARLES C. Smith. Mr. Speaker, that is not killing the bill. The gentleman said we are killing the bill. And I again say I will volunteer to serve on the commission, and there are 7 votes. Where are the Republicans killing the bill? Mr. Speaker, this is complete fakery as it has been done in the city of Philadelphia and as it is being done in a lot of places where the gentlemen speak out of both sides of their mouths. They talk bipartisanship, and when we volunteer to give them bipartisanship, and we are sincere in it, they immediately say we are killing the legislation.

Mr. Speaker, the gentleman who just spoke knows there is not one of the amendments that will kill this bill and not one of the amendments is a bad amendment which would interfere in any way with a charter and a good charter being given to the citizens of Philadelphia. I can assure him of that. It has been done with no bad intent, it has been done with the intent of making it a bipartisan commission from top to bottom.

Mr. TOLL. Mr. Speaker, I want to quote one more paragraph of this Inquirer editorial relating to the question of the division of membership in which they say:

> "To divide representation on the Charter Commission equally between Republican and Democratic parties is obviously impracticable in inviting stalemated votes on important issues. Setting up majority and minority representation, as was done in the case of the original Charter Commission, is the logical way to handle it. It seems proper, also, to permit Council, through its elec-

ted President, to have a voice in the appointments."

As far as fakery is concerned, let's get down to cases. What fakery is involved when you have Republican candidates running for office in the city of Philadelphia who give lip service to the fact that they are for good government and they do not have a united front here in the Legislature when they have an opporunity to show they mean they want good government. What is involved when the so-called organization is supposed to be supporting the leaders of the party for the mayorality and other important offices and they do not have united support for good government right here in the Assembly? I will leave that to your judgment. You know well enough how the vote of the five members of the House ran on these important bills. As long as that record stands before you and is recorded here in the Assembly, you know that we are sincere in our position, because we voted solidly for these two bills, and the Republican party is not sincere.

Mr. BAZIN. Mr. Speaker, as sponsor of the bill, it seems there is not much left to say after Mr. Toll finished, but I would like to interrogate Mr. Smith for just one minute.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. CHARLES C. SMITH. I shall, Mr. Speaker.

Mr. BAZIN. Mr. Speaker, I offered the gentleman the opportunity of being a cosponsor of the bill in the original form. Is that correct?

Mr. CHARLES C. SMITH. I think, Mr. Speaker, the gentleman is correct. I am not actually sure, but I am inclined to agree with him. I think he did.

Mr. BAZIN. Mr. Speaker, the gentleman did not care to be a sponsor. According to your beliefs the bill at that time was not a good one?

Mr. CHARLES C. SMITH. According to my beliefs the bill was not a bi-partisan bill, I should say, Mr. Speaker. I wouldn't use the word "good."

Mr. BAZIN. Mr. Speaker, I again offered the same opportunity to Mr. Pomeroy and to Mr. Wilbur Hamilton, who both seem to be absent at this time. When the bill came up for a vote after it had been slightly amended in committee, it seems that every Member on the Republican side felt that the bill was a bad one because they all voted "no."—Mr. Smith, I assume, agreed the bill was a good one because I believe he is recorded as voting "aye." Why was the bill worth your vote at that time and now with all these new amendments it seems to be a much better setup as far as the Republican side is concerned?

Mr. CHARLES C. SMITH. Mr. Speaker, that is sort of a very easy question. I know and recognize the need for a charter commission, I am not denying that, and rather than see no charter commission at all I would even support the bill in its original form. But I certainly think we are supporting a bill today that is in much better form and which provides for an honest-to-goodness bipartisan commission. It is just the difference between good and a little bit better that's all.

Mr. BAZIN. Mr. Speaker, in other words it was not a worthy bill, according to the gentleman's estimation—the first bill?

Mr. CHARLES C. SMITH. Mr. Speaker, I would object to the gentleman using those words. I would say the bill was a worthy bill from the very beginning, but the bill has been improved and bettered since it came from the Senate.

Mr. BAZIN. Mr. Speaker, I was just wondering who in the Senate was qualified to decide on how we down in Philadelphia should arrange or rearrange our city charter?

Mr. CHARLES C. SMITH. Mr. Speaker, I believe there are some Democratic Senators in the Senate. I can't answer the gentleman on that, I don't know. He would have to ask the Senate.

Mr. BAZIN. Mr. Speaker, they are all Republican amendments. All the Democratic Senators in the Senate opposed it when the amendments were introduced, although I do notice that they all voted in favor of the bill for probably the same reason that Mr. Smith voted for it in its original form.

Mr. READINGER. Mr. Speaker, in view of the nature of the question before the House I would like to point out to the membership on this side that the question before the House will be, "Will the House concur in these amendments", and I am asking the membership on this side to vote "no" on that question.

The SPEAKER pro tempore. The Chair will state that the gentleman is correct and will repeat that those voting "aye" vote to concur in the amendments inserted by the Senate, those voting "no" vote to non-concur in the amendments.

On the question recurring.

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

NAYS—104

Adam,	Gaffney,	McWherter,	Sarraf,
Amarando,	Garlock,	Meholchick,	Scarcelli,
Anderson, M. S.,	Gelfand,	Mihm,	Schuster,
Anderson, S. A.,	Guss,	Mills,	Sherman,
Barnatovich,	Hamilton, R. K.,	Monroe,	Smith, W. B.,
Bazin,	Hass,	Moran,	Snider,
Boles,	Heavey,	Mullen,	Stank,
Bonner,	Holt,	Munley,	Stebbins,
Boory,	Jenkins,	Murray, J. J.,	Stephens,
Branca,	Jones, G. E.,	Musto,	Stone,
Brennan, J. J.,	Kamyk,	Needham,	Swartz,
Bucchin,	Kolankiewicz	Olsen,	Taylor,
Capano,	Kornick,	O'Neil,	Thomas,
Cianfrani,	Lawyer,	Pacchioli,	Toll,
Cioffi,	Leiby,	Paulhamus,	Verona,
Cochran,	Leonard,	Petrosky,	Wallace,
Comer,	Leven,	Pettigrew,	Walsh,
Curwood,	Limper,	Polaski,	Wargo,
Dougherty,	Lopresto,	Polen,	Welsh,
Farabaugh,	Lovett,	Readinger,	Wheeler,
Filo,	Lutty,	Reibman,	Whitenight,
Fineman,	Maxwell,	Reidenbach,	Williams,
Flint,	McCann,	Renwick,	Yetter,
Floyd,	McCormack,	Rosen,	Yetzer,
Flynn,	McGee,	Rovansek,	Andrews,
Frank,	McLaughlin,	Rudisill,	Speaker
Frascella,			

YEAS—72

Ashton,	Goldstein,	Magee,	Steckel,
Auker,	Gramlich,	Mahan,	Stevenson,
Banker,	Greenwood,	Markley,	Stoner,
Bell,	Haudenshield,	Mikula,	Strausser,
Breisch,	Henzel,	Moscrip,	Stroup,
Brown,	Hocker,	Murphy,	Thompson,
Bullen,	Horst,	Murray, H. P.,	Toomey,
Connelly,	Houk,	Murray, P. G.,	Varner,
Cooper,	Isaacs,	Naugle,	Wall,

Davis,	Johnson,	Oglivie,	Waterhouse,
Donahue,	Jump,	Parry,	Weidner,
Donaldson,	Kehler,	Price,	Wescott,
Down,	Kent,	Pursley,	Willaredt,
Erb,	Knecht,	Rigby,	Wilt,
Eshleman,	Kooker,	Royer,	Wood,
Ewing,	Kromer,	Rubin,	Worley,
Frost,	Leisey,	Sigman,	Young,
Gibson,	Light,	Smith, C. C.,	Ziegler,

NOT VOTING—34

Agnew,	Foster,	Keller,	Miller,
Blair,	George,	Kline,	Moody,
Bower,	Gibb,	Kratz,	Muldowney,
Brennan, A. P.,	Guthrie,	Kubacki,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Breth,	Helm,	Lippincott,	Spencer,
Ehrgood,	Hewitt,	McInroy,	Tompkins,
Eilberg,	Jones, T. H. W.,	McKeever,	Varallo,
		Metz,	Vaughan,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL RE-REFERRED

Mr. POLASKI from the Committee on State Government, returned with the recoommendation that it be re-referred to the Committee on Counties, House Bill No. 1682, entitled:

An Act providing for the incorporation of park and conservation districts; permitting two or more civil divisions herein defined to unite in the establishment of a regional park and conservation district for the planning, promoting, acquiring, constructing, owning, developing, maintaing, and operating. within their limits, a system of parks, parkways and areas for recreation and conservation of the natural landscape and reduction of the vulnerability of built-up areas to enemy attack; providing for financial support from participating civil divisions; granting the powers of eminent domain; providing for referral of plans to regional, county, or city planning agencies; and providing procedures for such incorporation.

The SPEAKER. The bill is re-referred to the Committee on Counties.

APPROPRIATION BILL ON SECOND READING

Mr. READINGER. Mr. Speaker, I call up on page 12 of today's calendar, appropriation bill on second reading, Senate Bill No. 785.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 785, entitled:

An Act making appropriations to the Department of Public Instruction for reimbursements to school listricts

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend Section 1, page 1, line 1, by striking out at the end of the line after the word "of" the following: "four hundred twenty-one million eight hun-."

Amend Section 1, page 1, line 2, by striking out at the beginning of the line before the word "or" the following: "dred forty thousand dollars ($421,840,000)."

and inserting in lieu thereof the following: "four hundred twenty-six million eight hundred forty thousand dollars ($426,840,000)."

On the question,

Will the House agree to the amendments?

Mr. CHARLES C. SMITH. Mr. Speaker, may I ask the Chair, have the amendments been offered by the gentleman from Washington, Mr. Polen?

The SPEAKER pro tempore. The Chair so understands.

Mr. CHARLES C. SMITH. Mr. Speaker, may I interrogate the gentleman from Washington?

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. CHARLES C. SMITH. Mr. Speaker, are we right in assuming that the amendments that are now being offered to Senate Bill 785, Printer's No. 306, are a duplication of House Bill 1599 which was passed by the House and is now in the Senate?

Mr. POLEN. Mr. Speaker, the amendments offered will make Senate Bill 785 identical with House Bill 1599, with the exception of the addition that was made in the Senate to Section 2, adding $31 million.

Mr. CHARLES C. SMITH. Mr. Speaker, we Republicans are going to oppose these amendments. We are opposed to these amendments for one reason, and for one reason only, because here is where we must stand up and be counted whether we are for or whether we are against the schools in the Commonwealth of Pennsylvania. It is a very simple issue.

Will the great Commonwealth of Pennsylvania meet its obligations to our public schools on time when they fall due this month and next month, or will the checks fail to go out to the 2200 local school districts until the Legislature decides on what new taxes our citizens must pay?

Governor Leader has decreed that there will not be any payments to any school districts until he gets his tax program through this Legislature. Governor Leader has personally decided that this is one way he can put the pressure on the taxpayers of Pennsylvania. He has decided there will be no money for education until after election day, when I predict there will be a new blitzkreig to put over another new income tax in some form.

Let me ask you, Mr. Speaker, what does it matter to him that thousands of teachers will not receive their pay on time? That is a fact. What is going to happen?

What does it matter to him that many of our smaller school districts will have to go out and borrow money at righ rates of interest just to keep the schools open and to keep them operating?

What does it matter that the Commonwealth has an obligation to meet, which it will not meet if these amendments are passed?

Governor Leader has issued an edict that there will not be any payments until the tax question is settled. Senate Bill 785, without these amendments that are now being inserted by the House, by the Majority side, does these two things. First, it appropriates approximately $421 million for the support of Public schools. Without these appropriations the Department of Public Instruction is powerless to issue one single warrant on the State Treasury for the payment of subsidies to our school districts or to reimburse them for the money already in the 1954-1955 school year. They are facts, and the members know that. These payments which fall due this month for fourth class districts and in November for third,

second and first class districts, are urgently needed now by many of our schools.

Second, it contains an amendment originally offered by the Governor's own Senator to appropriate an additional $31 million to provide for an additional increase in pay for school teachers over and beyond that already mandated by law. If and when this General Assembly passes the necessary enabling legislation, that $31 million will be available.

This is the way this bill passed the Senate. This House should approve this bill without changing it or without amending it in any way, and we should send it to the Governor immediately so that the state can go ahead and make its school subsidy payments on time and keep faith with our schools.

It is true that there are no provisions in Governor Leader's budget for any $31 million increase in teachers' salaries. We know that, but if he believes such an increase should not be granted he has the power under the Constitution to strike it out of the bill before he signs it. He can strike the $31 million right out and our schools will still receive the money we owe them on time.

Let me make this doubly clear. There are two steps, and two very simple steps, required to permit this state to meet its obligations to our schools without defaulting in any sense of the word. First, enactment by this House of Senate Bill 785 in the form in which it was reported from the Appropriations Committee yesterday. That is the first step. The second step is that Governor Leader's signature has to be put on the bill. That is all that is necessary to make this money available to the schools, and he knows it.

If we amend this bill in any way, it must go back to the Senate for concurrence. If we put in controversial—and many of these amendments are controversial and the Governor knows it—amendments to this bill, no one can predict what will be the final action. In the meantime, while we are trying to straighten out our difficulties many of our local school districts are going to go broke. The Governor knows that.

What is there co pressing about these amendments that are being offered? Just what do they do which is so important that payment of school subsidies must be held up indefinitely. I will tell you what is important about them. Governor Leader is on the hook and he knows it, and two of his own Democratic Senators get him on the hook and he is squirming to get off. That is the reason 1599 has to be inserted.

I will tell you something else that is happening right now. The whole maneuver is direct collusion when you see the Senator who comes from the Governor's own county putting these amendments into the bill. There is every reason to believe this was done to fool the people on teachers' salaries just before the municipal elections. Politics is rearing its ugly head again in the front office.

It is important to Governor Leader that he should not have to decide before election day whether our teachers are going to get a new increase in pay. The Governor has been dodging this issue all year, and now if we send this bill over to him the way the Senate passed it he won't be able to dodge it any more. That is another reason for these amendments. He will have to decide which is more important, adequate pay for our school teachers or his pet projects for economic development and greatly expanded Welfare Department. That is why these amendments are being offered and certainly for no other reason.

We Republicans did not do this to him. Keep in mind that two Democratic Senators did it, and because of it we here in the House are being asked to welsh on our school obligations that are now falling due. That is exactly what is going to happen.

All these amendments do is put everything into Senate Bill 785 that is now in House Bill 1599, which we sent to the Senate three or four weeks ago. The gentleman from Washington just admitted that fact.

These amendments provide mainly for salaries and expenses for the Department of Public Instruction and all its agencies. Most of them are controversial because here is where the Republican Senate is going to make some of its cuts. Governor Lealer knows all this and he knows that if this bill is amended it is right back in the middle of the budget controversy, and that is what he wants.

Now, members, let me just show you how your Governor is breaking faith. I claim today, and I accuse the Governor of playing politics to the point of running out on his word. House Bill 1599 was in direct discussion in the Governor's office. The Governor agreed tentatively to almost $800 thousand worth of cuts in 1599, and what are you doing? You are faking. You are putting a bill in without a single cut and the Governor himself agreed to the cuts and he is faking if the agrees to it.

Let me read to you some of the cuts he has agreed on. This bill with the amendments that you are putting in provides for the payment of the salary of the Superintendent of Public Instruction and it provides for the payment of salaries and wages and other compensations of the Deputy Superintendent. All of that is being taken care of by a stopgap appropriation at this moment, and you know it. There is $1,600 thousand for that.

He is also providing in this bill for $503 thousand for the state libraries. The Governor himself agreed to a $20 thousand cut in that and he does not even show it in here. Did you ever see such fakery as that? He agreed to it, and you sitting in there with him know he agreed to it. And what is he doing? He puts in his original figures again.

He also in this bill has $1,616 thousand for professional education and licensure in the professional examining boards. He also has in this bill the Pennsylvania State Board of Censors, and everyone in this House knows that the Governor agreed to a $6 thousand cut there. So what did he do? He put it in the original form $235 thousand and does not ever make the $6 thousand cut. That is true throughout the bill.

To hold the teachers' pay up this again is what we are doing. There is money in this bill for the Pennsylvania Federation of Junior Historians—that is a tremendously important thing—$24 thousand, and the Governor agreed to a $4 thousand cut. So what does he do, he puts it in the original form, $24 thousand, and does not even take the cut out. He is not even keeping his agreements with the Republicans just so he can make this a political issue with the teachers. So let the teachers of Pennsylvania know they are holding up their salaries to give the Junior

Historians $24 thousand. It is a very important thing, believe me.

Let us go through the bill a little bit more. He agreed on our State Teachers Colleges to go along on a $500 thousand cut. And what does he do? He puts in the original figures of $15 million.

Mr. Speaker, this bill shows almost $800 thousand of cuts that were agreed upon in the Governor's office. There is not much use to sit in and talk to the Governor and try to make economies if after he agrees to it he tries to put in amendments like this to play politics. You know that is what is happening, and that is a positive God's truth. You know that is what that bill is.

You know that those agreements were reached, and if Governor Leader wants to have Republicans sit in with him in the future to work out some problems, let the Governor start keeping his word and stop playing politics like this and putting it back on the teachers' doorsteps.

That is the only reason for these amendments going in this bill today. They do not have any other reason except to get the Governor off the hook until after election, and he knows it and we know it, because if this bill was passed and put on his desk as it is with his own Senators $31 million increase to teachers he would have to make the cuts. And let me tell you, he doesn't have the guts to do it or he is afraid of doing it. So he is playing politics and going to hold the school districts up over the entire state because he lacks nerve to cut out the amendments put in by his own Senators.

If these amendments fail, Mr. Speaker, no one is going to go without their pay, and we all know that. Anybody who works in the Department or in our teachers colleges will not go without their pay because the stopgap appropriations are covering it at this time.

We have passed $100 million in stopgap appropriations to do this very thing, to take care of these people. In fact, this administration has been very careful to see to it that everything has been taken care of except our public schools and our state aided hospitals. Why? Because that is the thing he can wave the flag over for his tax program. That is why.

Money has been appropriated to pay Public Assistance; money has been appropriated to meet the state payrolls on time; money has been appropriated to pay the bankers their interest on all of the notes that we owe them; but not one cent has been allocated for subsidies for education or for hospitals.

Mr. Speaker, I said the other day if we adopt these amendments Governor Leader will have the club that he is trying to get and the people will get an income tax of some kind, some form, immediately after election. Believe me when I say that, that is a prediction. There will be an income tax pushed through the House after election, and it won't be done before.

Just so there is no question as to where anybody stands on this issue, "shall our schools get their money or shall they not get their money," we are going to ask for a slow roll call on these amendments and a verification of the roll call. We are going to say to the people of Pennsylvania that we want them to know who is responsible when the schools are starting to close for the lack of funds. If 1599, the amendments that you are proposing today, are put in 785, let me say to you that there will be schools either closing or in terrible hardship for the lack of money due to Governor Leader and the majority party in this House inserting these amendments, because if they are not inserted the money will be paid before they need it and when they need it. If the amendments go in, they can't be paid because it is a controversial issue. The Governor knows it is a controversial issue, and it is an issue that the Governor has agreed upon and is now running out on.

Mr. POLEN. Mr. Speaker, in connection with the remarks of the gentleman from Philadelphia, Mr. Charles C. Smith, he mentioned the fact that I was at the conference he referred to. He also mentioned the fact about keeping your word.

The first agenda of business at the conference I attended was that none of the facts or figures would be made public at that time, that they would not be used for political purposes. I have not used them, I have issued no statements, and I have kep my word.

As to the crisis facing the schools in Pennsylvania, I want to remind the gentleman that House Bill 1599 passed this House and has been in the Senate since September 14th so if there is a crisis I believe the blame would fall upon the Senate for failure to pass that bill.

In connection with the amendments we are offering here today, the item of reimbursment for teachers salaries, subsidies to public instruction, the Senate cut that from $426,840 thousand to $421,840 thousand, or a cut of $5 million. The Department of Public Instruction tells me that that cut cannot be justified and the money will be needed. That is one of the things that is done in these amendments. It restores through Senate Bill 785, which appropriated $421,840 thousand, the $5 million cut which the Senate made and brings it back to $426,840 thousand.

In our concern for the schools there are also other factors than the reimbursment for teachers salaries. I call the gentleman's attention to the fact there is one item in these amendments in restoring them to the figures of 1599 for reimbursment for transportation which is $29,761 thousand. It is true that it carries other items for the Department for the State Teachers Colleges, and the gentleman is correct when he says that it simply makes Senate Bill 785 the same as House Bill 1599 with exception of the $31 million which was added by the Senate.

As to who introduced the amendments, I do not think that is too material because it was passed by unanimous vote of the Senate, both the Democrats and the Republicans supported them. We do not propose at this time to take them out. I feel that we should not have our educational program go over to the Senate or come back from the Senate piecemeal. We should pass this bill, we should adopt these amendments to Senate Bill 785 and return it to the Senate. If there has been any delay and if there has been any crisis, it is not the fault of this House because the members on the other side voted for 1599. The fault would lie with the Senate of Pennsylvania.

Mr. JOHNSON. Mr. Speaker, I rise to further debate the amendments.

Here is one thing I want to point out to the House which I think we are really forgetting. At this session of the Legislature and by reason of law passed in prior sessions we have tax measures on the books right now that

will bring in $907 million whether we pass another tax program this session or not. As you know, within the last three weeks the Senate finally passed the corporate net income tax bills, being the postponement of the manufacturers' exemption, being the extension of the corporate net income tax, being the continuation of the gross receipts tax on public utilities, and with the final enactment of those taxes there will be $907 million at a conservative estimate that will come in this biennium if we do nothing further.

In other words, if $907 million is coming in, it will run the state until December of 1956. So actually we are worrying about the money to run the state during January February, March and April of 1957.

Actually the money is available for this bill today. What we should do is forget about these amendments. Let us pass this bill as is, put it on the Governor's desk and have it be signed so the school people will get their money now and early in November.

Let us not worry about these other appropriations that are in the bill. They can be taken care of later by either the House or Senate, and will be taken care of. If there should be $5 million or $10 million more added to the subsidy for schools, that can be done later. Let us not worry about it now. Today we have an opportunity of sending the school bill over to the Governor's desk. Let us do it. The money is there. Let us not worry about a tax program for that because we have the money, we have $907 million.

You talk about the transportation payments. The subsidy for that is not payable, I understand, until later on in the wnter, perhaps around the first of the year, but the subsidy payments are due now in November. I can see where if we pass this bill, send it over to the Senate, who may or may not be in session, they might be disinclined to go along with the bill and throw it into conference.

We are planning on an extended recess here and the schools of Pennsylvania are going to blame it on everybody. I think today we can rightfully say that we can blame it on the Democrats because here is the vehicle on your desk, ready to be put on the Governor's desk and to be signed by the Governor so these checks can go out without delay.

So I say to the House, vote these amendments down. You are not creating a peril to anybody by doing so. As a matter of fact you have a bill here ready to do the job. Let us do it now.

Mr. READINGER. Mr. Speaker, it has been a long time since I have heard two such fine political speeches on a matter as have been made by the Minority Leader and the Minority Whip.

This is a most interesting problem, the bill we have before us. A lot of the history has already been given about the passage of House Bill 1599 on September 14th and the sudden passage of Senate Bill 785 last week during the Senate session.

Mr. Polen has pointed out that the Senate could have weeks ago, if it wanted to, deleted the sections which Mr. Smith now objects to our offering for reinstatement, could have deleted those from House Bill 1599. It could have, if it saw fit, cut the $426 million back to $421 million and sent it back to us. They didn't do so. They decided they would introduce a new bill which we would be required to process during a period of three days. That bill arrived here only this week. The Senate had it in its power, the Republican membership did, to reject any amendments offered to its own bill, it could have restricted it solely to the $421 or the $426 million which must be paid to the school districts under existing law. It didn't see fit to do that.

When an amendment was offered by some Democratic Senators, every Republican Member of the Senate voted in favor of adding $31 million to that bill for the purpose of increasing teachers' salaries. They sent it over here, and then the Minority Leader begs us, urges us, almost threatens us with dire calamity if we do not take that bill now and pass it immediately the way the Senate sent it over to us.

He complains bitterly about our offering amendments which put back into the Senate bill provisions relating to transportation and other features of the education program which this House had passed by a vote of 174 to 1 on September 14th. He speaks about the bad faith of the Governor, and so forth, in agreeing to certain cuts which are embodied in some of those very amendments.

I sat in on some of those conferences too, and let me tell you exactly what was the agreed upon, in my estimation. It was decided that when any cuts were to be made, if the Governor's office would agree to certain cuts, they were not to be made in the House, they were to be made in the Senate. Let me tell you that one of the Senators who is most interested and active in the matter of the discussion of budget cuts was somewhat concerned while we were discussing them as to whether the House would make those cuts before sending certain appropriation bills over to the Senate, and it was agreed that we would not, that those bills would be sent over to the Senate and the Senate could make the cuts, any cuts that were agreed on. If that is any indication of bad faith on the part of anybody, then I don't know what went on in those conferences.

Remember this, too, that while the conferences were going on it was agreed in various instances that certain things could be cut down, either because of the passage of time, or because reconsideration indicated that some of the appropriations already passed by the House need not be as large as they were. And I repeat, those cuts were to be made by the Senate and not by the House, and when we offer these amendments today we are offering them to put this bill right back in the same condition as we passed it in House Bill 1599.

It has been my advice earlier this week, and I have so recommended to the Democratic membership, that we eliminate the $31 million for school teachers from this bill and introduce a separate bill and make a statement that at least the majority of us on this side are in favor of giving the teachers more money, but not at this time, in order that this bill could promptly go back to the Senate on the question of the $421 or $426 million. We are just as much interested as you are on that side to see that the school districts get their money without delay, but if you think we are going to stand back and take a $5 million cut which we feel is not justified, and will leave us a deficit which we will have to take care of later, solely because you think this bill should be passed the way the Senate sent it to us, then you are

mistaken. It is not going to be done that way, if it takes one week, two weeks, or three weeks, to thrash out the matter of this $5 million, whether it should be in or should be out.

What other cuts should be made in other portions of this bill and how long it is going to take I do not know, but if you think the people are going to blame us when the school districts do not receive their money, then I mistake the people of Pennsylvania.

We again say the Senate weeks ago could have passed House Bill 1599 in any form they saw fit and sent it back to us. Then this crisis would not be here on the eve of the November payments that are due to the school districts and it would have been solved a couple of weeks ago.

I say that if anybody is playing politics I dont think the public is going to be fooled about who is playing politics.

When I made the suggestion to our side on this bill I was overruled in my thinking about whether the $426 and $421 million and the money for school teachers should be considered in one package. The Members on our side in order to show that they are for giving the teachers more money decided they did not want the $31 million taken out by an amendment, and it is not being taken out. When this bill goes back to the Senate it will still have the additional $31 million in for teachers, but we say we have every right as a legislative body, as a coordinate branch of this legislative body, to insist that the $5 million be restored and to insist that the other portions of the package we had in 1599 be considered by the Senate.

We are going to send it back to them and, if they do not see fit to take the bill as we amend it, it will go into a conference committee and these things will be decided. If that means a delay in the payments that the school districts are looking for, it will mean a delay. But it is not going to be our delay, it is going to be one that is created by the Senate.

Mr. ANDREWS. It is my desire in connection with the pending dispute to appear as a witness to offer testimony. We are faced with what in my opinion is the most infamous doublecross in my knowledge of parliamentary procedure on this Hill.

I attended, listened in, was a part of the conference in which spokesmen for the House and for the administration met with Republican spokesmen for the Senate. I was present at practically every conference. I can testify to what I heard and to what I was a part, which is more than the Minority Leader can say because he was rarely present at those conferences.

It was agreed, as far as spokesmen for the Senate can agree to anything, that the cuts in the Governor's budget should be made in the Senate and not in the House, and it was further understood that until those cuts had been made in the Senate and there had been as least the semblance of agreement that there would be discussions regarding a tax program, but no binding commitments.

Now we come with measures long in the custody of the other chamber of this General Assembly which could have been reduced. There has been ample opportunity for those who oppose the administration's budget to tailor it, and they have done nothing of the kind. They have broken the promise, the agreement, the understanding, arrived at in a conference which we believed was to proceed in all good faith.

I am not prepared to discuss the details of the pending measure, but I would call the attention of the gentleman from McKean to the fact that there has been passed at this session a bill which confines the borrowing power of this administration while the Session is in progress to 10 per cent of the estimated revenue, and yet the gentlemen from McKean comes before us and says there is no lack of money, that the revenues have been provided and all the administration need do is write the checks, when he very well knows that the borrowing power of this administration while the General Assembly is in session has been confined to one-tenth of the estimated revenue.

At the time when the estimated revenues were $80 million, $60 million was borrowed, and until the revenues come in during coming months and next year as long as we are in Session all we can borrow on tax anticipation notes is approximately $30 million, if he is correct in his estimates that this House has already provided for revenues totalling $900 million.

I want to say, without debating the merits of the bill in question, that I was initially inclined to suggest the procedure which the Majority Leader has outlined. The Democratic Caucus in its wisdom elected to pursue a different course, and who am I to say that the Democratic Caucus was wrong.?

I have only appeared at this time as a witness to say that the promise was made that reductions in the budget would be made in the Senate and that was by agreement with that understanding, that cuts in the budget, even cuts in the budget the administration was willing to accept, were not included in the pending bill.

Now, the gentleman from Philadelphia, the gentleman from McKean and every old Member of this House knows that it has not been my practice to indulge in sharp practice, that I have over the years kept every legislative bargain I have ever made, and if any man knows to the contrary let him rise in his place and accuse me.

I would not be saying what I am saying now did I not know from my own personal knowledge that the other chamber elected to say that the representatives sent to confer with us were not in fact its spokesmen, and we had no way of knowing that. We accepted them in good faith as spokesmen for the other chamber and we have proceeded legitimately, honestly and in keeping with our bargain in presenting the present bill.

Mr. JOHNSON. I would like to make a short reply to Mr. Andrews in connection with taxes, Mr. Speaker.

I believe the figure I gave that during this biennium there will be $907 million or approximately that in taxes coming in if we pass no further taxes is a fairly correct statement. I believe you will find there is about $20 million a month coming in right now from permanent taxes on the books, meaning the cigarette tax, the tax on liquor, additional assessments on capital stock tax, corporate net income tax, by reason of resettlements of taxes, the monthly take from the real estate transfer tax, that money is coming in currently and is available for use.

I grant you that you have probably borrowed $60 million to run the government on tax anticipation notes. That is customary to borrow money like that in the in-between periods when tax collections are low and your burden of

expenditures is high, but if we were to pass a tax program right now it would not alleviate the immediate tax position of the state. We would still have to pay the schools.

I say, let's keep our eye on that squirrel. The squirrel today is, are we going to pass a bill right now, right today, that is in front of us, politics or no politics, that is going to give money to our schools next month?

I say on the other side you are flirting with a very dangerous, financial, chaotic thing which exists in our schools today, and whether the Senate is at fault or whether we are at a fault, no matter who is at fault, let's pass this bill. Let's give the schools their money.

You know we are operating on an abbreviated schedule now in both the House and the Senate. Goodness knows what will happen to this bill if you amend it and send it back to the Senate. Conceivably, it could be until December before we get back here again to do business. In the meantime you will be saying we have caused you trouble. That is not true. You have the vehicle right here today to do the job. Let's do it without any further delay.

Mr. READINGER. Mr. Speaker, just a further word concerning the good faith or lack of good faith involved in this issue.

The Senate of Pennsylvania and its leaders well knew back in September the problems we have been having in the House to keep our membership here and to get them to come here in view of the lack of hotel and motel accommodations. Still in view of all that they do not take House Bill 1599, which had been passed practically unanimously in this House, and delete everything except the $421 million, which they could have done, and send it back to us for concurrence in those amendments which would take us one day. They knew at the time we were meeting yesterday and today for a full working session. But they don't do that, they send a brand new Senate bill over here knowing that under the Constitution it takes three legislative days to pass it. Whether they had that in mind or whether they didn't, I don't know, but my guess would be that some smart maneuverer or operator in the aggregation knew all about it and knew the problem we would have to possibly hold our membership here until either midnight tonight or sometime tomorrow morning.

Just what the reason might have been which brought them to the determination that they would send a new bill over with nothing in it except something they already had in our House Bill 1599, I don't know, but I do question the good faith of the decision they made when they put this in the form of a new Senate bill. They didn't bring it out of committee with the $31 million in, it's true, they had nothing in it but the $421,840 thousand, but they did vote unanimously to include this new amendment and they sent it over to the House, Now their spokesman over here says, "Pass this and do it immediately, let's get the schools their money," and so forth. They gloss over this $5 million which we think is very important and which the Senate has taken out. I say that good business practice on our part requires us today to support these amendments, send it back to the Senate as soon as we can and see what happens over there.

We are meeting again on October 25th and, as I understand it, the payments to the school districts are normally not made until sometime in November. We do not want the school districts to suffer and we do not intend that they shall, but we are not going to be pushed around by the Senate or anybody else in our deliberations. We are going to do it the way we think it should be done.

I want the people of Pennsylvania to know we are making every effort to bring our Members back here and do things when they should be done so that nobody suffers. I do complain bitterly about the method followed by the other branch of this Legislature in dropping this thing on our doorstep at a time when we practically find it impossible to hold our Members here long enough to act on the thing quickly.

Mr. CHARLES C. SMITH. Mr. Speaker, there seems to be quite an abundance of eloquence on the other side of the House at this point in keeping the record straight.

I think in due deference and due respect to the Senate I cannot see, and I wish somebody would explain to me, what harm there was in the Senate's policy of passing over Senate Bill 785 seeing that the school districts were paid, and I think we agree on that one fact, that the bill will see that the school districts are paid right away. This bill 1599, the gentleman is quite right in stating that the Senate still retains that bill. I think the gentleman can also state that all of these requirements in 1599 are being met at this point by stopgap appropriations. I don't believe that can be denied.

I don't believe it can be denied, also, that the biggest part of our cuts that were being planned in the Senate, or a good part would be in the 1599 bill sent over from the House to the Senate. There is nothing wrong that I can see, and I don't think it is playing politics, in Senate Bill 785 to have the teachers paid and let the Senate work on 1599. The departments are being paid by stopgap appropriations and in the meantime if economies can be made, and I think the other side of the House is in aggeement with us that if they can be made they would like to see them made. If it only amounts to $3 million it is $3 million of taxpayers' money.

The gentleman, Mr. Speaker, kicks this $5 million around very emphatically, but I think he will admit that all of the money that is in 1599 is estimated. I don't think that can be denied. If we are underestimating or overestimating on $5 million on a $400 and some million dollar bill, it is about one-quarter of one percent that we are wrong on. So let us say that the gentleman is right on the $5 million. If he is right, all right, there will be no deficiency. If he is not right, there is a possible $5 million deficiency, but, nevertheless, the gentleman will have to admit that all of the $400 million in 1599 is an estimate and if something can be saved, if $500,000 of taxpayers' money can be saved, Mr. Speaker, it is his duty, your duty as a party and our duty as a party to save it. I don't think there is anything wrong in the mechanics of seeing that the schools are paid through 785 and trying to save money in the future in 1599. That can be saved either by the Senate, or when it comes over here in conference committee we can save it.

Mr. MOSCRIP. Mr. Speaker, sometime ago I stood up in this House in behalf of the school teachers trying to determine if there was any money in 1599 for a salary increase. At that time I was advised there was none. There was not a single voice from the other side of the House raised in behalf of the school teachers' salary situation.

I simply want to state here that out of the confusion we have at least made this much progress, the Majority

side has become cognizant of this need. Their membership apparently have applied enough pressure against the leaders to overrule them in their thinking that something ought to be done.

This talk about the time it was passed and things to be done, I believe enabling legislation for school teachers' salaries reach this House sometime in March. I expressed the hope at one time that they would come forth with something for the teachers. To that extent I am gratified. I only hope that they will proceed now, since they seem to be in favor of more pay for school teachers, to have fair, equitable, and efficient enabling legislation ready at the proper time.

Mr. READINGER. Mr. Speaker, I cannot let this moment go by without taking exception to the remarks of the gentleman. I know he made them in good faith and I think I understand exactly what he means.

However, the words he used indicate that the leadership of this House formerly was opposed to giving any more money to school teachers and that the majority seems to have overruled the leadership and now is recognizing the need, and so forth.

I would like to have the record show that there has never been a time when the leadership on this side indicated that there wasn't a need and there wasn't a chance that teachers would be given more money. We stated sometime ago when the matter was raised on the floor of the House that we didn't think this was the time to be discussing the matter of giving more money to school teachers before we had financed in some way the already required obligations of the Commonwealth. That was made very clear and I want this to be clear also, I stated on Monday or Tuesday of this week that while I was in favor of giving the teachers more money, I did not think this was the time to do it. We know what our obligations are in our present law; we do not know what taxes we are going to be willing to raise later on.

I, for one, wanted to wait until the matter had been decided by the majority and the minority party of this Legislature as to how far we are willing to go on taxes before I would make a decision as to whether school teachers or anybody else should be given more money than the present law requires.

It seems to me that we are going to get into a nice mess if eventually some people in this House and the Senate are not willing to pass tax measures adequate to finance the entire budget we finally adopt. As you know, if at the end of this session we have not enacted sufficient tax measures to raise money sufficient to pay for all the appropriations this appropriation for increased school teachers' salaries, being a preferred obligation, will get paid, but there might be an awful lot of hosiptals and other non-preferred obligations which might not get paid. If we do not get enough money from our tax measures, tax revenue bills, to finance all the money we decide to spend, it is not going to be the teachers who will lose the money, it is going to be the non-preferred recipients of state funds. I don't want to see that happen.

I say the majority side of the House has decided they are willing now to commit this $31 million for the purpose of paying more money to the teachers, but I hope when the day comes when we are voting on tax measures that you Members on the minority side will be willing to go along and give us enough money to pay the $31 million as well as the other money that we have to raise. I am waiting to see that day and if you are not willing to do it. I will certainly call the attention of the public to that fact.

Mr. POLEN. Mr. Speaker, in connection with the statement of the gentleman from Philadelphia, Mr. Smith, that the $246,840 thousand is based upon estimates, I would like to clarify that by stating that approximately one-half of that is based upon the actual figures. We are reimbursing on the 1954-1955 school year and that is the appropriation that is now due. Approximately one-half is based upon the actual figures. It is true the projection as made for the school year of 1956-1957 would be estimated, but it is also based upon the best vailable figures.

Mr. MOSCRIP. Mr. Speaker, in fairness to the Majority Leader, I meant in my remarks my emphasis was made on the gratification that apparently the membership of his party was aware of the teachers' needs. I heard his statement that he was overruled in his thinking. I have enough confidence in him as a liberal man to believe that he personally is aware of this problem.

However, in fairness to everybody concerned, when I first questioned the majority side relative to teachers' salaries and was advised that 1599 from its inception had nothing beyond mandated increases, I am frank to admit that I had a deep concern that there was at least a deep indifference to the problem at that time.

Mr. McCORMACK. Mr. Speaker, I would like to ask the gentleman from Bradford, Mr. Moscrip, just one question, namely, what has he done to support this increase for the teachers in the line of revenue raising measures? How did he vote with respect to the classified income tax and, if he voted in the negative, what bill would he be in favor of to raise the necessary revenue?

Mr. MOSCRIP. Mr. Speaker, I don't think I would be alone if I reserved by decision on what kind of a tax measure I would ultimately vote for. As far as my conscience being clear about arising $31 million, I think you will find my negative vote on the record in enough places on the expenditure of money in this House that I thought were secondary to teachers' needs to very well make up the $31 million.

PARLIAMENTARY INQUIRY

Mr. MOSCRIP. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MOSCRIP. At this time on this roll call for the clarification of the Members, are we simply voting on the one amendment to increase the bill by $5 million or are we voting on all the amendments which will put 785 in the same shape as 1599?

I might say, Mr. Speaker, there seems to be some misunderstanding about it back here and a number of us would appreciate an explanation.

The SPEAKER pro tempore. The Chair would inform the gentleman that the question before the House is the agreement to the amendments offered by the gentleman from Washington, Mr. Polen, to Section 1 of the bill, which the Clerk will read.

The amendment to Section 1 was again read by the Clerk.

Mr. CHARLES C. SMITH. For the benefit of the Mem-

bers on this side of the House, we are asking the Members to vote gaainst all of these amendments. We will, by agreement with the Chair, if it meets with the approval of the House, take the roll call on the first amendment rather than go down section by section, because it would be rather lengthy and tiring to go on that basis.

We will take the first roll call for the rest of the amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. CHARLES C. SMITH, AUKER and WOOD and were as follows:

YEAS—105

Adam,	Frank,	McCormack,	Rovansek,
Amarando,	Frascella,	McGee,	Rudisill,
Anderson, M. S.,	Gaffney,	McLaughlin,	Sarraf,
Anderson, S. A.,	Garlock,	McWherter,	Scarcelli,
Barnatovich,	Gelfand,	Meholchick,	Schuster,
Bazin,	Guss,	Mihm,	Sherman,
Boles,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Bonner,	Hass,	Monroe,	Snider,
Boory,	Heavey,	Moran,	Stank,
Branca,	Holt,	Mullen,	Stebbins,
Brennan, A. P.,	Jenkins,	Munley,	Stephens,
Brennan, J. J.,	Jones, G. E.,	Murray, J. J.,	Stone,
Bucchin,	Kamyk,	Musto,	Swartz,
Capano,	Kolankiewicz,	Needham,	Taylor,
Cianfrani,	Kornick,	Olsen,	Thomas,
Cioffi,	Kubacki	O'Neil,	Toll,
Cochran,	Lawyer,	Pacchioli,	Wallace,
Comer,	Leiby,	Paulhamus,	Walsh,
Curwood,	Leonard,	Petrosky,	Wargo,
Dougherty,	Leven,	Pettigrew,	Welsh,
Farabaugh,	Limper,	Polaski,	Wheeler,
Filo,	Lopresti,	Polen,	Whitenight,
Fineman,	Lovett,	Readinger,	Williams,
Flint,	Lutty,	Reibman,	Yetter,
Floyd,	Maxwell,	Reidenbach,	Yetzer,
Flynn,	McCann,	Renwick,	Andrews,
		Rosen,	Speaker

NAYS—73

Ashton,	Frost,	Leisey,	Smith, C. C.,
Auker,	Gibson,	Light,	Steckel,
Banker,	Goldstein,	Magee,	Stevenson,
Bell,	Gramlich,	Mahan,	Stoner,
Bower,	Greenwood,	Markley,	Strausser,
Breisch,	Haudenshield,	Metz,	Stroup,
Brown,	Henzel,	Mikula,	Thompson,
Bullen,	Hocker,	Moscrip,	Toomey,
Connelly,	Horst,	Murphy,	Varner,
Cooper,	Houk,	Murray, H. P.,	Wall,
Davis,	Isaacs,	Murray, P. G.,	Waterhouse,
Donahue,	Johnson,	Naugle,	Weidner,
Donaldson,	Jump,	Ogilvie,	Wescott,
Down,	Kehler,	Parry,	Willaredt,
Ehrgood,	Kent,	Price,	Wilt,
Erb,	Knecht,	Pursley,	Wood,
Eshleman,	Kooker,	Rigby,	Worley,
Ewing,	Kromer,	Royer,	Young,
			Ziegler,

NOT VOTING—32

Agnew,	Guthrie,	Lafore,	Pomeroy,
Blair,	Hamilton, W. H.,	Lippincott,	Rubin,
Brenninger,	Helm,	McInroy,	Sigman,
Breth,	Hewitt,	McKeever,	Spencer,
Eilberg,	Jones, T. H. W.,	Miller,	Tompkins,
Foster,	Keller,	Moody,	Varallo,
George,	Kline,	Muldowney,	Vaughan,
Gibb,	Kratz,	Pashley,	Verona,

So the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The Second section was read and agreed to.

Mr. POLEN offered the following amendments:

Amend page 2, by inserting after line 18, the following new sections:

Section 3. The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the Department of Public Instruction for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred fifty-five and for the payment of the bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five.

For the payment of the salary of the Superintendent of Public Instruction and for the payment of salaries wages or other compensation of deputy superintendents and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of one million six hundred forty thousand dollars ($1,640,000).

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment for the purchase of books maps charts manuscripts records exchanges pamphlets illustrations lantern slides periodicals parliamentary papers legal books and periodicals subscriptions to newspapers necessary for the proper conduct of the work of the department with respect to the State Library the sum of five hundred three thousand dollars ($503,000).

For the payment of salaries wages or other compensation of a deputy member and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to professional education and licensure and the professional examining boards and advisory committees within the department the sum of one million one hundred sixteen thousand dollars ($1,116,000).

Provided, That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to pre-profesional education and licensure the profesional examining boards and advisory committees within the department.

For the payment of salaries wages or other compensation of members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Board of Censors the sum of two hundred thirty-five thousand dollars ($235,000).

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in advising and coordinating the work of the Pennsylvania Federation of Junior Historians in the secondary schools of the Commonwealth the sum of twenty-four thousand dollars ($24,000).

For the payment of salaries wages and other compensation of members and other employes for the payment of general expenses supplies printing equipment and the purchase of tests for the proper conduct of the work in the department of Public Instruction with respect to the conduct of examinations for the evaluation of credentials issuance of preliminary education certificates and the determination evaluation and issuances of equivalent high school credits certificates or diplomas the sum of one hundred three thousand dollars ($103,000).

For the payment of salaries wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in public schools the sum of fifty-four thousand dollars ($54,000).

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the acquisition of Federal surplus property and the distribution of such property to schools and other agencies authorized to receive it the sum of one hundred thousand dollars ($100,000).

And be it provided that moneys collected from schools and agencies to whom such property shall have been distributed covering cost of acquisition and handling shall be paid into the General Fund and credited to this appropriation and available for the purposes for which this appropriation has been made.

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department and the State Board of Vocational Education in licensing and regulating private schools private trade schools business schools and correspondence schools and classes the sum of one hundred fifty-eight thousand dollars ($158,000).

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing large-type books for partially sighted children in the public schools the sum of thirty thousand dollars ($30,000).

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing farm and home safety education through the schools and farm and home organizations in the Commonwealth the sum of twenty-nine thousand dollars ($29,000).

For the payment of the salaries wages general expenses supplies printing and equipment necessary for the purpose of revising the elementary secondary and vocational curricula in the public schools of the Commonwealth in accordance with the provisions of Act 551 approved July seventh one thousand nine hundred forty-seven (Pamphlet Laws 1427) the sum of one hundred thousand dollars ($100,000).

All moneys collected from the sale of any publications issued pursuant to said act shall be paid into the General Fund and credited to the foregoing appropriation and are hereby appropriated for the same purposes in addition to the amount hereinbefore appropriated.

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in accrediting facilities for the training of veterans the sum of eighty-six thousand dollars ($86,000).

Provided, That fifty-eight thousand dollars ($58,000) of the appropriation made by this paragraph shall be used by the department as working capital only and shall lapse at the end of the biennium in the full amount. In addition all moneys collected from the Federal Government shall be credited to the appropriation made by this paragraph.

For the payment of salaries wages printing supplies and general expenses necessary to carry out the provisions of the act approved the thirteenth day of May one thousand nine hundred twenty-five (Pamphlet Laws 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" the sum of twenty-five thousand seven hundred dollars ($25,700).

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the Public School Employes Retirement Board the sum of six hundred twenty thousand dollars ($620,000).

For the payment of salaries wages postage printing and other necessary expenses incurred in the operation of speech and hearing rehabilitation centers as provided by law the sum of three hundred five thousand dollars ($305,000).

For the payment of expenses incurred in maintaining administering supervising and operating day care training centers for mentally handicapped children as provided by law the sum of two hundred thousand dollars $(200,000)

For the payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture and furnishings for the expenses of the boards of trustees and incidental expenses for the payment to fire companies of costs of fighting fires upon approval of the institution and the department and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges as may be authorized and approved by the Superintendent of Public Instruction the sum of fifteen million five hundred thousand dollars ($15,500,000), and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State Teachers' Colleges for the same purpose each college to receive from such appropriation the exact amount which was collected at said college during the said fiscal years.

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and livestock for the payment of fire companies of costs of fighting fires upon approval of the institution and the department for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified:

Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania	410,000
Scotland School for Veterans' Children at Scotland Pennsylvania	1,395,000
Thaddeus Stevens Trade School at Lancaster Pennsylvania	845,000

and in addition to said amount all income and all moneys collected at the Thaddeus Stevens Trade School shall be paid into the General Fund and shall be credited to the appropriation to the Thaddeus Stevens Trade School made by this paragraph.

For the payment of salaries of the County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of three million four hundred one thousand five hundred dollars ($3,401,500).

For the payment of expenses of County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of two hundred ninety-seven thousand dollars ($297,000).

For the payment of expenses of members of county boards of school directors and the fees of their attorneys the sum of fifty-two thousand eight hundred dollars ($52,800).

For reimbursement to school districts for transportation of school children as required by law the sum of twenty-nine million seven hundred sixty-one thousand dollars ($29,761,000).

For aid to school districts that now maintain or shall cause to be established and maintained as part of the public school system vocational schools or departments schools for agricultural education industrial training home economics distributive occupations public service occupations and other vocational and practical education for the salaries wages and expenses of employes for general expenses supplies printing and equipment of vocational divisions and the payment to the Department of Property and Supplies of mileage for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe as provided by law the sum of three million three hundred thousand dollars ($3,300,000).

And be it provided, That as much of this appropriation as can be made available may be expended with the Governor's approval in paying the cost of vocational training of qualified public assistance recipients or other unemployed to take definite employment which may be contingent upon such training.

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work

of the department in carrying out the School Lunch Program as provided by law the sum of two hundred five thousand dollars ($205,000).

For the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of Schools of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of six hundred eighty-three thousand dollars ($683,000).

For special education including the payment of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction) of Penna. pupils enrolled with the approval of the Department of Public Instruction in schools or institutions for the blind or for the deaf or cerebral palsied under the supervision of or approved by the department in accordance with law and for readers helpers guides aids and appliances of such children in public schools also for cost of tuition and maintenance of mothers and their blind babies in schools approved by the Department of Public Instruction the sum of three million nine hundred fifty thousand dollars ($3,950,000).

For the payment of salaries wages general expenses printing supplies equipment fuel and incidental expenses and for all expenses of maintenance and operation for the proper conduct of the Public Service Institute including the Firemen's Training School at Lewistown the sum of two hundred ninety thousand dollars ($290,000).

For the payment of salaries wages general expenses supplies printing and equipment necessary to make a survey of public school plant facilities in the Commonwealth the sum of thirteen thousand nine hundred dollars ($13,900). In addition all moneys received from the Federal Government under Public Law 815 of the 81st Congress for this purpose shall be credited to the appropriation made by this paragraph.

For the payment into the School Employes' Retirement Fund to the credit of the Contingent Reserve Account of the School Employes' Retirement Fund as required by law the sum of thirty-two million four hundred sixty-five thousand dollars ($32,465,000).

For the payment into the School Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employes' Retirement Fund as required by law the sum of eight million fourteen thousand four hundred ninety-five dollars ($8,014,495).

For the payment of compensation to former teachers principals supervising principals or superintendents who agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and consel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concernd with other educational work as may be deemed necessary and helpful to community-school interest as provided by law the sum of one hundred eighty-five thousand dollars ($185,000).

For the payment of increased retirement allowances to employes on retirement as of September first one thousand nine hundred forty-nine the sum of two million one hundred thousand dollars ($2,100,000).

Section 4. No appropriation made by this act shall be available unless and until the Department of Public Instruction shall have complied with sections six hundred four six hundred five and six hundred six of The Administrative Code.

Section 5. The term "employes" as used in this act shall include all directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants.

Section 6. The terms "general expenses" and "maintenance" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums on workmen's compensation insurance premium on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund.

On the question,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. CHARLES C. SMITH, AUKER and WOOD and were as follows:

YEAS—105

Adam,	Frank,	McCormack,	Rovansek,
Amarando,	Frascella,	McGee,	Rudisill,
Anderson, M. S.,	Gaffney,	McLaughlin,	Sarraf,
Anderson, S. A.,	Garlock,	McWherter,	Scarcelli,
Barnatovich,	Gelfand,	Meholchick,	Schuster,
Bazin,	Guss,	Mihm,	Sherman,
Boies,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Bonner,	Hass,	Monroe,	Snider,
Boory,	Heavey,	Moran,	Stank,
Branca,	Holt,	Mullen,	Stebbins,
Brennan, A. P.,	Jenkins,	Munley,	Stephens,
Brennan, J. J.,	Jones, G. E.,	Murray, J. J.,	Stone,
Bucchin,	Kamyk,	Musto,	Swartz,
Capano,	Kolankiewicz,	Needham,	Taylor,
Cianfrani,	Kornick,	Olsen,	Thomas,
Cioffi,	Kubacki	O'Neil,	Toll,
Cochran,	Lawyer,	Pacchioli,	Wallace,
Comer,	Leiby,	Paulhamus,	Walsh,
Curwood,	Leonard,	Petrosky,	Wargo,
Dougherty,	Leven,	Pettigrew,	Welsh,
Farabaugh,	Limper,	Polaski,	Wheeler,
Filo,	Lopresti,	Polen,	Whitenight,
Fineman,	Lovett,	Readinger,	Williams,
Flint,	Lutty,	Reibman,	Yetter,
Floyd,	Maxwell,	Reidenbach,	Yetzer,
Flynn,	McCann,	Renwick,	Andrews,
		Rosen,	Speaker

NAYS—73

Ashton,	Frost,	Leisey,	Smith, C. C.,
Auker,	Gibson,	Light,	Steckel,
Banker,	Goldstein,	Magee,	Stevenson,
Bell,	Gramlich,	Mahan,	Stoner,
Bower,	Greenwood,	Markley,	Strausser,
Breisch,	Haudenshield,	Metz,	Stroup,
Brown,	Henzel,	Mikula,	Thompson,
Bullen,	Hocker,	Moscrip,	Toomey,
Connelly,	Horst,	Murphy,	Varner,
Cooper,	Houk,	Murray, H. P.,	Wall,
Davis,	Isaacs,	Murray, P. G.,	Waterhouse,
Donahue,	Johnson,	Naugle,	Weidner,
Donaldson,	Jump,	Ogilvie,	Wescott,
Down,	Kehler,	Parry,	Willaredt,
Ehrgood,	Kent,	Price,	Wilt,
Erb,	Knecht,	Pursley,	Wood,
Eshleman,	Kooker,	Rigby,	Worley,
Ewing,	Kromer,	Royer,	Young,
			Ziegler,

NOT VOTING—32

Agnew,	Guthrie,	Lafore,	Pomeroy,
Blair,	Hamilton, W. H.,	Lippincott,	Rubin,
Brenninger,	Helm,	McInroy,	Sigman,
Breth,	Hewitt,	McKeever,	Spencer,
Eilberg,	Jones, T. H. W.,	Miller,	Tompkins,
Foster,	Keller,	Moody,	Varallo,
George,	Kline,	Muldowney,	Vaughan,
Gibb,	Kratz,	Pashley,	Verona,

So the question was determined in the affirmative and the amendments were agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. POLEN offered the following amendment:

Amend page 1, line 1 of the title, by striking out at the beginning of the line before the word "Appropriations" the following: "Making." and inserting in lieu thereof the following: To provide for the ordinary expenses of the Department of Public Instruction for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five and making

On the question,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. CHARLES C. SMITH, AUKER and WOOD and were as follows:

YEAS—105

Adam,	Frank,	McCormack,	Rovansek,
Amarando,	Frascella,	McGee,	Rudisill,
Anderson, M. S.,	Gaffney,	McLaughlin,	Sarraf,
Anderson, S. A.,	Garlock,	McWherter,	Scarcelli,
Barnatovich,	Gelfand,	Meholchick,	Schuster,
Bazin,	Guss,	Mihm,	Sherman,
Boles,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Bonner,	Hass,	Monroe,	Snider,
Boory,	Heavey,	Moran,	Stank,
Branca,	Holt,	Mullen,	Stebbins,
Brennan, A. P.,	Jenkins,	Munley,	Stephens,
Brennan, J. J.,	Jones, G. E.,	Murray, J. J.,	Stone,
Bucchin,	Kamyk,	Musto,	Swartz,
Capano,	Kolankiewicz,	Needham,	Taylor,
Cianfrani,	Kornick,	Olsen,	Thomas,
Cioffi,	Kubacki	O'Neil,	Toll,
Cochran,	Lawyer,	Pacchioli,	Wallace,
Comer,	Leiby,	Paulhamus,	Walsh,
Curwood,	Leonard,	Petrosky,	Wargo,
Dougherty,	Leven,	Pettigrew,	Welsh,
Farabaugh,	Limper,	Polaski,	Wheeler,
Filo,	Lopresti,	Polen,	Whitenight,
Fineman,	Lovett,	Readinger,	Williams,
Flint,	Lutty,	Reibman,	Yetter,
Floyd,	Maxwell,	Reidenbach,	Yetzer,
Flynn,	McCann,	Renwick,	Andrews,
		Rosen,	Speaker

NAYS—73

Ashton,	Frost,	Leisey,	Smith, C. C.,
Auker,	Gibson,	Light,	Steckel,
Banker,	Goldstein,	Magee,	Stevenson,
Bell,	Gramlich,	Mahan,	Stoner,
Bower,	Greenwood,	Markley,	Strausser,
Breisch,	Haudenshield,	Metz,	Stroup,
Brown,	Henzel,	Mikula,	Thompson,
Bullen,	Hocker,	Moscrip,	Toomey,
Connelly,	Horst,	Murphy,	Varner,
Cooper,	Houk,	Murray, H. P.,	Wall,
Davis,	Isaacs,	Murray, P. G.,	Waterhouse,
Donahue,	Johnson,	Naugle,	Weidner,
Donaldson,	Jump,	Ogilvie,	Wescott,
Down,	Kehler,	Parry,	Willaredt,
Ehrgood,	Kent,	Price,	Wilt,
Erb,	Knecht,	Pursley,	Wood,
Eshleman,	Kooker,	Rigby,	Worley,
Ewing,	Kromer,	Royer,	Young,
			Ziegler,

NOT VOTING—32

Agnew,	Guthrie,	Lafore,	Pomeroy,
Blair,	Hamilton, W. H.,	Lippincott,	Rubin,
Brenninger,	Helm,	McInroy,	Sigman,
Breth,	Hewitt,	McKeever,	Spencer,
Eilberg,	Jones, T. H. W.,	Miller,	Tompkins,
Foster,	Keller,	Moody,	Varallo,
George,	Kline,	Muldowney,	Vaughan,
Gibb,	Kratz,	Pashley,	Verona,

So the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Crawford, Mr. Kent, for presiding.

BILLS ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1116 as follows:

An Act enabling governing bodies of cities of the second class A to establish by ordinance the requirements of responsible bidders for city printing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The governing bodies of any city of the second and second class A may by proper ordinance require that printing firms who are desirous of presenting bids for city printing shall be required to establish consideration as responsible bidders as follows

(1) That the printing firms shall file with the city clerk a sworn statement to the effect that employes in the employ of the firm or firms which are to produce the printing are receiving the prevailing wage rate and are working under conditions prevalent in the locality in which the work is produced

(2) That whenever a collective bargaining agreement is in effect between an employer and employes who are represented by a responsible organization which is in no way influenced or controlled by the management the agreement and its provisions shall be considered as conditions prevalent in said locality and shall be the minimum requirements for being adjudged a responsible bidder under this act

(3) That in case any dispute arises as to what is the prevailing rate of wages for work applicable to the contract which cannot be adjudged by the head of the department requiring the printing the matter shall be referred to the city council and its decision by a majority vote thereon shall be conclusive

Section 2 This act shall take effect immediately

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. YOUNG. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Limper, permit himself to be interrogated?

Mr. LIMPER. I shall, Mr. Speaker.

Mr. YOUNG. Mr. Speaker, does this bill prohibit an open shop from bidding on printing for cities of the second class and second class A?

Mr. LIMPER. Mr. Speaker, it does not prohibit an open shop from bidding.

Mr. YOUNG. Mr. Speaker, what are these extra conditions by which they must abide?

Mr. LIMPER. What does the gentleman mean, Mr. Speaker?

Mr. YOUNG. Mr. Speaker, I understand by the bill that they must pay the prevailing wage rate in the locality. Now it says, and other conditions. Would the gentleman mind telling me what the other conditions are?

Mr. LIMPER. Mr. Speaker, that would consider hours, holidays, overtime, and so forth.

Mr. YOUNG. Mr. Speaker, would they have the same idntical conditions as a union shop, all of the same conditions.

Mr. LIMPER. No, they do not, Mr. Speaker.

Mr. YOUNG. Mr. Speaker, the gentleman says hours. How about vacation credits, would you say they have to have vacation credits?

Mr. LIMPER. Mr. Speaker, I do not know anything about that. I do not think that enters into the union contract, if that is what you are speaking of.

Mr. YOUNG. Mr. Speaker, what about seniority privileges?

Mr. LIMPER. Seniority privileges? That I do not know anything about, Mr. Speaker.

Mr. YOUNG. Grievance procedures?

Mr. LIMPER. No, not if they have no signed contract, Mr. Speaker.

Mr. YOUNG. The overtime pay, Mr. Speaker, I assume would be the same, holiday requirements would undoubtedly be the same as under union contract, is that right?

Mr. LIMPER. That is right, Mr. Speaker.

Mr. YOUNG. Mr. Speaker, does this preclude the city of Pittsburgh, for instance, going into the adjoining county and getting bids from a printer there? Could a printer in Butler County bid on printing for the city of Pittsburgh?

Mr. LIMPER. The union printers?

Mr. YOUNG. Any printers that qualified under this bill, Mr. Speaker.

Mr. LIMPER. No. Mr. Speaker.

Mr. YOUNG. It has to be bought in the county of Allegheny?

Mr. LIMPER. No, we have stricken that out, Mr. Speaker.

Mr. YOUNG. What?

Mr. LIMPER. That was stricken out under the two amendments.

Mr. YOUNG. Mr. Speaker, then a printer in Butler County or Washington County, or Beaver, or Westmoreland, could bid on printing for the city of Pittsburgh?

Mr. LIMPER. That is right, Mr. Speaker.

Mr. YOUNG. Mr. Speaker, in the event that a printer from Butler County did bid on that printing, the prevailing wage rate in Butler County would be the only prevailing wage rate that he would have to abide by, not the prevailing rate in Allegheny County?

Mr. LIMPER. What the prevailing rate would be where the printer is located, Mr. Speaker.

Mr. YOUNG. Mr. Speaker, I do not know, there is something tricky about this thing. I am a little dubious of it, that is the reason I want to read these things into the record. I want the record to clearly indicate that an open shop that does not pay the prevailing wage and his similar working conditions, but not necessarily all the working conditions, can bid successfully on that printing if they are the lowest bidder.

Mr. LIMPER. That is right, Mr. Speaker.

Mr. YOUNG. Mr. Speaker, this is the kind of bill that I am positively opposed to. I do not think it is good legislation. I think it establishes a bad prerogative. If we pursue this thing to its ultimate conclusion, we would say that no purchases made by a governmental agency could be bid on other than by a shop that has union conditions and union prevailing wage rates. It is going to eventually result in a higher cost of government, there is no doubt about that.

I understand there are four other bills, there is another one on the calendar, and my remarks can be construed to apply to it, that is, House Bill 1781 which applies the same provisions to counties of the second class. I understand there are four other bills which I assume include Philadelphia County and possibly all other governmental districts in the state of Pennsylvania. I propose to vote against this measure because I do not think it is good legislation. I think that anyone who is doing a reliable job of printing and whose employes are willing and able to work for the employer conscientiously and competently should be allowed to bid on it. The quality of the work should be the only consideration.

However, certain individuals on this side of the House have given me their promise to vote against the bill. I am now releasing those gentlemen and ladies, they may now vote however they see fit. I will not insist that they keep their promise.

Mr. LIMPER. Mr. Speaker, I feel as far as the bill is concerned, it creates no hardship on any firm which desires to compete in the bidding on printing if they meet the requirements laid down in this bill. It creates a more basic level of competition which is an asset to any firm competing. On that basis I think personally it protects the shop that hires men and pays the prevailing rate in any section. I think it should have the preference of bidding on those contracts.

Therefore, Mr. Speaker, I ask the Members of the House to vote to support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—120

Adam,	Frank,	McWherter,	Sarraf,
Amarando,	Frascella,	Meholchick,	Scarcelli,
Anderson, M. S.,	Gaffney,	Mihm,	Schuster,
Anderson, S. A.,	Garlock,	Mikula,	Sherman,
Auker,	Gelfand,	Monroe,	Sigman,
Barnatovich,	Guss,	Moran,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Mullen,	Snider,
Boies,	Hesvey,	Munley,	Stank,
Bonner,	Hocker,	Murphy,	Stephens,
Boory,	Holt,	Murray, J. J.,	Stone,
Bower,	Jenkins,	Musto,	Strausser,
Branca,	Jones, G. E.,	Needham,	Swartz,
Brennan, A. P.,	Jump,	Ogilvie,	Taylor,
Brennan, J. J.,	Kamyk,	Olsen,	Thomas,
Bucchin,	Kolankiewicz,	O'Neil,	Toll,
Capano,	Kornick,	Pacchioli,	Varner,
Cianfrani,	Kubacki	Parry,	Verona,
Cioffi,	Lawyer,	Paulhamus,	Wallace,
Cochran,	Leiby,	Petrosky,	Walsh,
Comer,	Leonard,	Pettigrew,	Wargo,

Curwood,	Leven,	Polaski,	Welsh,
Dougherty,	Limper,	Polen,	Wheeler,
Erb,	Lopresti,	Readinger,	Whitenight,
Ewing,	Lovett,	Reidenbach,	Williams,
Farabaugh,	Lutty,	Renwick,	Wilt,
Filo,	Maxwell,	Rigby,	Worley,
Fineman,	McCann,	Rosen,	Yetter,
Flint,	McCormack,	Rovansek,	Yetzer,
Floyd,	McGee,	Rubin,	Ziegler,
Flynn,	McLaughlin,	Rudisill,	Andrews, Speaker

NAYS—49

Ashton,	Frost,	Light,	Steckel,
Banker,	Gibson,	Magee,	Stevenson,
Bell,	Goldstein,	Mahan,	Stoner,
Brown,	Gramlich,	Markley,	Stroup,
Bullen,	Hass,	Moscrip,	Thompson,
Connelly,	Henzel,	Murray, H. P.,	Toomey,
Davis,	Houk,	Murray, P. G.,	Wall,
Donahue,	Isaacs,	Naugle,	Waterhouse,
Donaldson,	Johnson,	Pursley,	Weidner,
Down,	Kooker,	Reibman,	Wescott,
Ehrgood,	Kromer,	Smith, C. C.,	Willaredt,
Eshleman,	Leisey,	Stebbins,	Wood,
			Young,

NOT VOTING—41

Agnew,	Greenwood,	Kent,	Mills,
Blair,	Guthrie,	Kline,	Moody,
Breisch,	Hamilton, W. H.,	Knecht,	Muldowney,
Brenninger,	Haudenshield,	Kratz,	Pashley,
Breth,	Helm,	Lafore,	Pomeroy,
Cooper,	Hewitt,	Lippincott,	Price,
Eilberg,	Horst,	McInroy,	Royer,
Foster,	Jones, T. H. W.,	McKeever,	Spencer,
George,	Kehler,	Metz,	Tompkins,
Gibb,	Keller,	Miller,	Varallo,
			Vaughan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1781 MADE A SPECIAL ORDER

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1781, Printer's No. 974, on page 30 of today's calendar, bills on third reading be made a special order of business immediately.

The motion was agreed to.

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, being House Bill No. 1781, Printer's No. 974, bill on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1781 as follows:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" enabling county commissioners to establish by resolution the requirements of responsible bidders for county printing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of July 28, 1953 (P. L. 723) known as the "Second Class County Code" is amended by adding after section 2001 a new section to read

Section 2002 Printing Contracts The county commissioners may by proper resolution require that printing firms who are desirous of presenting bids for county printing shall be required to establish consideration as responsible bidders by all of the following

(1) That the printing firms shall file with the chief clerk of the county commissioners a sworn statement to the effect that employers in the employ of the firm or firms which are to produce the printing are receiving the prevailing wage rate and are working under conditions prevalent in the locality in which the work is produced

(2) That whenever a collective bargaining agreement shall be in effect betwen an employer and employes who are represented by a responsible organization which is in no way influenced or controlled by the management the agreement and its provisions shall be considered as conditions prevalent in the locality and shall be the minimum requirements for being adjudged a responsible bidder under this act

(3) That in case any dispute arises as to what is the prevailing rate of wages for work applicable to the contract which cannot be adjusted by the county commissioners the matter shall be referred to the county salary board and its decision thereon shall be conclusive

Mr. YOUNG. Mr. Speaker, if there is no objection, we will take the previous roll call.

Add one more negative vote right here.

Mr. READINGER. Mr. Speaker, we will be happy to take the same roll call with whatever changes they want to make.

The SPEAKER. The Chair hears no objection.

Mr. AUKER. Mr. Speaker, I want to be recorded as voting "no" on the bill under consideration. I voted "aye" on the last bill.

The SPEAKER. The gentleman will have that privilege.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—119

Adam,	Frascella,	Meholchick,	Scarcelli,
Amarando,	Gaffney,	Mihm,	Schuster,
Anderson, M. S.,	Garlock,	Mikula,	Sherman,
Anderson, S. A.,	Gelfand,	Monroe,	Sigman,
Barnatovich,	Guss,	Moran,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Mullen,	Snider,
Boies,	Heavey,	Munley,	Stank,
Bonner,	Hocker,	Murphy,	Stephens,
Boory,	Holt,	Murray, J. J.,	Stone,
Bower,	Jenkins,	Musto,	Strausser,
Branca,	Jones, G. E.,	Needham,	Swartz,
Brennan, A. P.,	Jump,	Ogilvie,	Taylor,
Brennan, J. J.,	Kamyk,	Olsen,	Thomas,
Bucchin,	Kolankiewicz,	O'Neil,	Toll,
Capano,	Kornick,	Pacchioli,	Varner,
Cianfrani,	Kubacki	Parry,	Verona,
Cioffi,	Lawyer,	Paulhamus,	Wallace,
Cochran,	Leiby,	Petrosky,	Walsh,
Comer,	Leonard,	Pettigrew,	Wargo,
Curwood,	Leven,	Polaski,	Welsh,
Dougherty,	Limper,	Polen,	Wheeler,
Erb,	Lopresti,	Readinger,	Whitenight,
Ewing,	Lovett,	Reidenbach,	Williams,
Farabaugh,	Lutty,	Renwick,	Wilt,
Filo,	Maxwell,	Rigby,	Worley,
Fineman,	McCann,	Rosen,	Yetter,
Flint,	McCormack,	Rovansek,	Yetzer,
Floyd,	McGee,	Rubin,	Ziegler,
Flynn,	McLaughlin,	Rudisill,	Andrews,
Frank,	McWherter,	Sarraf,	Speaker

NAYS—50

Ashton,	Eshleman,	Light,	Steckel,
Auker,	Frost,	Magee,	Stevenson,
Banker,	Gibson,	Mahan,	Stoner,
Bell,	Goldstein,	Markley,	Stroup,
Brown,	Gramlich,	Moscrip,	Thompson,
Bullen,	Hass,	Murray, H. P.,	Toomey,
Connelly,	Henzel,	Murray, P. G.,	Wall,
Davis,	Houk,	Naugle,	Waterhouse,

Donahue,	Isaacs,	Leisey,	Weidner,
Donaldson,	Johnson,	Pursley,	Wescott,
Down,	Kooker,	Reibman,	Willaredt,
Ehrgood,	Kromer,	Smith, C. C.,	Wood,
		Stebbins,	Young,

NOT VOTING—41

Agnew,	Greenwood,	Kent,	Mills,
Blair,	Guthrie,	Kline,	Moody,
Breisch,	Hamilton, W. H.,	Knecht,	Muldowney,
Brenninger,	Haudenshield,	Kratz,	Pashley,
Breth,	Helm,	Lafore,	Pomeroy,
Cooper,	Hewitt,	Lippincott,	Price,
Eilberg,	Horst,	McInroy,	Royer,
Foster,	Jones, T. H. W.,	McKeever,	Spencer,
George,	Kehler,	Metz,	Tompkins,
Gibb,	Keller,	Miller,	Varallo,
			Vaughan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 1735, Printer's No. 980

was passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILLS

Mr. READINGER asked and obtained unanimous consent to extend the time five days on House Bill No. 368, Printer's No. 622, on page 14 of today's calendar, bills on final passage postponed.

Mr. READINGER asked and obtained unanimous consent to extend the time five days on House Bill No. 407, Printers No. 624, on page 15 of today's calendar, bills on final passage postponed.

POINT OF ORDER

Mr. RIGBY. I rise to a point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. RIGBY. Mr. Speaker, I would like to know if there is a limit to the number of times that extension can be asked for a particular bill.

The SPEAKER. The extension of time is a matter for decision by the House, and consequently there is no limit in the Rules placed upon the discretion of the House. Every extension is a separate instance.

Mr. RIGBY. Thank you, Mr. Speaker. I believe this bill has been given five extensions now.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on final passage of House Bill No. 1706 as follows:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" reducing interest on damages allowed in eminent domain proceedings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2625 act of July 28, 1953 (P. L. 723) known as the "Second Class County Code" is amended to read

Section 2625 Payment of Damages and Costs Interests on Awards All damages agreed upon or awarded and all costs and expenses incurred shall be paid by the county except in cases where an appeal is taken by any party in interest from the award of the viewers and the appellant does not recover any greater amount than the viewers award in which case the appellant shall pay all costs of such appeal

The amount of damages allowed in a report of viewers for the taking injury or destruction of property by the exercise of the right of eminent domain shall as finally confirmed bear interest at the rate of [six] three per centum per annum from the date of filing of the report

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. THOMAS. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Counties—Second and Second Class A.

The motion was agreed to.

APPROPRIATION BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1113 as follows:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for the establishment by the Department of Property and Supplies of standards for the design construction repair alteration equipping and furnishing of buildings owned or to be constructed or subsidized by or for the Commonwealth and the material used therein repealing inconsistent legislation directing the Department of Property and Supplies to make a report to the next General Assembly and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" is amended by adding after section 2403 a new section to read

Section 2403.1 Specifications for Buildings Furnishings Equipment and Materials The Department of Property and Supplies shall

(a) Formulate and establish standards for construction details typical room design materials utilities furnishings and equipment for all buildings owned or to be constructed or subsidized by or for the Commonwealth and

used by any administrative department independent administrative board or commission or departmental administrative board or commission or institution agency or project subsidized by the Commonwealth and establish minimum specifications and standards for all materials used in the construction of any new buildings or in the alteration repair or reconstruction of any existing building The standards shall be prepared as to achieve as nearly as possible uniformity of construction details typical room design and materials among all buildings

(b) Consult with and ascertain the needs and requirements of other departments boards or commissions in the formulation and establishment of such standards

(c) Employ capable registered architects and engineers technical specialists and clerical personnel as may be necessary to comply with the provisions of this section

Section 2 Sections 507 508 2403 2409 2411 2413 and 2414 of the act are repealed in so far as they are inconsistent with the provisions of this act

Section 3 The sum of two hundred thousand dollars ($200,000) or as much thereof as is necessary is appropriated to the Department of Property and Supplies for the payment of salaries wages or other compensation of employes and specialists the payment of general expenses supplies printing and equipment and all other expenses necessary to carry out the provisions of this act

Section 4 The Department of Property and Suplies shall make a report to the next General Assembly detailing the progress and scope of the work then accomplished and the degree of success it has attained in carying out the provisions of this act

On the question,

Will the House agree to the bill on third reading?

Mr. HOCKER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 3, page 4, line 10 by striking out "two hundred thousand dollars ($200,000)" and inserting in lieu thereof: twenty-five thousand dollars ($25,000)."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Hocker.

The SPEAKER. Will the gentleman from Dauphin, Mr. Hocker, permit himself to be interrogated?

Mr. HOCKER. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, will the gentleman inform the House whether in his opinion the sum of $25 thousand, which I believe is the amount in his amendment, would be sufficient to accomplish the work that is supposed to be done under this bill?

Mr. HOCKER. Under the existing conditions I do, Mr. Speaker.

Mr. READINGER. Mr. Speaker, may I ask the gentleman whether he realizes that the Department of Property and Supplies is empowered under the bill to employ capable architects, engineers, technical specialists, and clerical personnel that may be necessary to accomplish the intent of this bill?

Mr. HOCKER. I realize that, and in answer to the gentleman, Mr. Speaker, I would like to have the privilege of asking the Majority Leader one question before we go any farther.

The SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. HOCKER. Mr. Speaker, due to the fact that this bill does not carry an effective date, will the gentleman from Berks be kind enough to tell me when it will become effective?

Mr. READINGER. Mr. Speaker, under the Statutory Construction Act and the Act relating to the enactment of statutes, any bill which is finally enacted and signed by the Governor after September 1st during the Session is effective immediately.

Therefore, this would become effective immediately.

Mr. HOCKER. Mr. Speaker, I beg to differ with the gentleman. My lawyer, and he is a pretty good one, I think, and I didn't pay very much for this information, has informed me that this bill will become effective September 1, 1956.

Mr. READINGER. Mr. Speaker, I suggest the gentleman get himself a new lawyer.

Mr. HOCKER. Mr. Speaker, I might say that he is an employe of yours.

Mr. READINGER. I might say I am available, Mr. Speaker.

Mr. HOCKER. Mr. Speaker, I was informed by the gentleman that this particular bill would not become effective until September, 1956, due to the fact that it carries no date.

If that is true, that is the reason for my amendments. They will only have four months before this report will have to be made to this General Assembly. In four months, if we pour $200 thousand into that Department of Property and Supplies, I am doing the Democratic party a favor because they are going to kill each other trying to get at it.

If we only give them $25 thousand, then they just won't hurt each other so badly trying to get that dough.

Mr. READINGER. Mr. Speaker, I have no further questions to ask the astute gentleman.

Mr. Speaker, I would like to inform the membership that unless I am very completely mistaken, and I don't think I am, this bill will become effective immediately upon final enactment and the job to be done under it is the formulation and establishment of standards for construction details, typical room designs, materials, and so forth, for state buildings. The job to be done is one which in my opinion can over the years save us millions and millions of dollars. If it were not for that fact and if I didn't believe that to be true, I would not want to appropriate $200 thousand either.

I have been informed by the people who are active in the General State Authority that legislation of this type would save a great deal of money as far as they are concerned too, bcause when these standards are formulated, and it does take specialists, architects, engineers, and so forth, to do this job, they then will prevent a situation from arising in the future where architects who are employed to design buildings for state purposes will be able to wander all over the lot and perhaps put into those buildings many things which these standards would indicate were not good.

I have been informed that the federal government has a set of regulations and standards such as we propose to create here and as a result many millions of dollars are saved by the federal government on its construction.

For example, if a building is to be used for some functional purposes which by all reasonable deduction would only need to be in existence for about 25 years, formulas and standards to be established under a bill of this kind would dictate that a building should not be built which would stand for the next 150 years.

I think those mistakes have been made in the past because there have not been any guide posts by which whoever is having a building erected can be guided.

I think every Member of this House can with good conscience vote for this bill as it stands and against these amendments.

You will notice that Mr. Strausser is one of the co-sponsors of this bill which was originally introduced for the appropriation of $200 thousand, so I am asking all of the Members to vote against these amendments.

The SPEAKER. The Chair might state that if the Chair were required to rule upon a point of order, he would be compelled to sustain the position taken by the gentleman from Berks.

Mr. HOCKER. Mr. Speaker, had I been informed properly by my attorney—and I am not an attorney, I am in the same category with my Minority Leader, I am a coal man, that is not for purposes of picking up any business because you people are all broke—

The SPEAKER. Is the gentleman known as King Coal.

Mr. HOCKER. Not yet, Mr. Speaker.

I would have drawn these amendments differently, Mr. Speaker. Due to the lateness of the date, we are into October, I do not see how it can be done, and I am going to ask the Members to go along with my amendments. I will be willing to proceed to the upper Chamer of this General Assembly and try to have them increase it a little more. We are in October and we are only going to have a little over a year to operate.

I agree with the gentleman, I think there should be a study made of this, but I am also of the opinion that our Joint State Government Commission probably should be the organization to make this study. They could have hired these people. Since it has moved up to this position, I will ask the Members to go along with my amendments on the condition that I will proceed to the upper chamber and ask them to give them a few dollars more to carry this out.

Mr. READINGER. Mr. Speaker, I greatly appreciate the gentleman's generosity to go over to the other chamber and correct the mistake he is trying to have us make here, but I don't think it is good policy to do that. I think he is sort of weakening on the matter of the effective date and that is understandable—

The SPEAKER. Did the gentleman from Berks say the "death chamber."

Mr. READINGER. He didn't, Mr. Speaker, but he might have been thinking about it.

I just want to clear the record on one other confused thought injected by the gentleman who handles coal so ably, and that is that this is a study. This is not a study, this is a concrete piece of work which would be done under the proper department, the Department of Property and Supplies, which handles the matter of our state buildings, and it is not something with which the Joint State Government Commission could help us.

Many times we make studies of a problem in order to find a solution. Here is a particular problem which can only be solved by the creation of these standards and regulations, and I say the Joint State Government Commision is the last place to which we should refer this.

I think his amendments should be defeated and the Members should vote in favor of this bill.

STATEMENT BY SPEAKER

The SPEAKER. The Chair in the future will be compelled to ask the Sergeant-at-Arms to remove from the Hall of the House any visitors who interrupt the session by conversing with Members of the House while bills are being considered.

On the question recurring,

Will the House agree to the amendment?

On a rising vote, forty-two Members having voted in the affirmative and one hundred and eight in the negative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STRAUSSER. Mr. Speaker, without going into a lot of repetition on what the Majority Leader has already told us, I think it would be well to clear up a few questions that have been asked me.

One question was: Will this bill eliminate the services of an architect on future state construction? It will not. The idea is to turn these developed details and room layouts over to the architect, as a guide for them to follow in future state construction. So the architects will not be eliminated.

The second question that has been asked me: Do architects oppose this bill? The architects do not oppose this bill, neither do they support it. Their position is a neutral one.

Another question asked me was, Will any taxpayers' money be saved? Mr. Readinger has said that millions would be saved and I agree with him. This appropriation really amounts to a very good investment of taxpayers' money in that in years to come it will save millions.

I would like to take time to mention a few concrete examples of savings made in the past. In the 1930's we will remember there was a great post office building construction program on. Those plans for those post offices were standard or basic plans, and as a result of those basic plans millions were saved on post office construction work.

Right in our own Commonwealth in the 1930's many highway maintenance buildings were built in almost every county in the state. That was another example of basic planning, and the unit price per cubic foot, I remember, in those buildings dropped better than six cents per cubic foot, indicating that standard detail and standard layouts will save money.

More recently take the instance of the state police barracks that were built within the last two or three years. That was another example of standard plans and much money was saved by adopting standard plans and layouts on these jobs.

I think it is a very good bill and I think it deserves the support of all House Members and I would ask that they do support the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Gramlich,	Meholchick,	Smith, Wm. B.,
Banker,	Greenwood,	Metz,	Snider,
Barnatovich,	Guss,	Mihm,	Stank,
Bazin,	Hamilton, R. K.,	Mikula,	Stebbins,
Bell,	Hass,	Miller,	Steckel,
Boies,	Haudenshield,	Mills,	Stephens,
Bonner,	Heavey,	Monroe,	Stevenson,
Boory,	Henzel,	Moody,	Stone,
Bower,	Hocker,	Moran,	Stoner,
Branca,	Holt,	Moscrip,	Strausser,
Breisch,	Horst,	Mullen,	Stroup,
Brennan, A. P.,	Houk,	Munley,	Swartz,
Brennan, J. J.,	Isaacs,	Murphy,	Taylor,
Breth,	Jenkins,	Murray, H. P.,	Thomas,
Brown,	Johnson,	Murray, J. J.,	Thompson,
Bucchin,	Jones, G. E.,	Murray, P. G.,	Toll,
Bullen,	Jones, T. H. W.,	Musto,	Toomey,
Capano,	Jump,	Naugle,	Varner,
Cianfrani,	Kamyk,	Needham,	Vaughan,
Cioffi,	Kehler,	Ogilvie,	Verona,
Cochran,	Kent,	Olsen,	Wall,
Comer,	Knecht,	O'Neil,	Wallace,
Connelly,	Kolankiewicz,	Pacchioli,	Walsh,
Cooper,	Kooker,	Parry,	Wargo,
Curwood,	Kornick,	Paulhamus,	Waterhouse,
Davis,	Kromer,	Petrosky,	Weidner,
Donahue,	Kubacki,	Pettigrew,	Welsh,
Donaldson,	Lawyer,	Polaski,	Wescott,
Dougherty,	Leiby,	Polen,	Wheeler,
Down,	Leisey,	Price,	Whitenight,
Ehrgood,	Leonard,	Pursley,	Willaredt,
Erb,	Leven,	Readinger,	Williams,
Eshleman,	Light,	Reibman,	Wilt,
Ewing,	Limper,	Reidenbach,	Wood,
Farabaugh,	Lopresti,	Renwick,	Worley,
Filo,	Lovett,	Rigby,	Yetter,
Fineman,	Lutty,	Rosen,	Yetzer,
Flint,	Magee,	Rovansek,	Young,
Floyd,	Mahan,	Royer,	Ziegler,
Flynn,	Markley,	Rubin,	Andrews,
Frank,		Rudisill,	Speaker

NAYS—1

Goldstein,

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 68 entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" authorizing the transfer of certain retail licenses to clubs without affecting the number of licenses thereafter granted in any municipality

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHARLES C. SMITH. Mr. Speaker, may I interrogate one of the gentlemen who sponsored the bill, please?

The SPEAKER. Which one?

Mr. CHARLES C. SMITH. Either one who wants to answer interrogation, Mr. Speaker.

The SPEAKER. The gentleman from Beaver, Mr. Smith, is on his feet, will he permit himself to be interrogated?

Mr. WILLIAM B. SMITH. I shall, Mr. Speaker.

Mr. CHARLES C. SMITH. Mr. Speaker, could I find out from the gentleman whether or not in the transfer of a retail liquor license to a club license, if it brought the quota of the retail liquor licenses below the quota of the county by population, would that then open it up for any number of club licenses to be passed on in that community?

That is a rather involved question, Mr. Speaker, but I have to ask it that way. In other words, we understand this, and let me give you an example. If a county has two retail liquor licenses and that is all they are entitled to, the quota is closed on retail liquor license and also would be closed because of that on clubs. If one of those retail liquor licenses is transferred to a club license, then the quota for the county for the retail license is open and at that point, the way the board has been administering things you could put 200 new club licenses in, or 300, or 400, until the retail liquor licenses were closed again.

Mr. WILLIAM B. SMITH. Mr. Speaker, when this bill was drawn it was drawn with the thought that each time a club bought a retail license it would eliminate one tavern in each town. You raise a question that I cannot answer.

Mr. CHARLES C. SMITH. I don't believe that is the way the bill is drawn. If it does that, it would get to a point where your retail liquor licenses would be below the quota and I believe from what we get as a ruling—we are not objecting, it is just a clarification—it would then open your entire license quota.

Mr. WILLIAM B. SMITH. Mr. Speaker, the gentleman

is right and I would not want to see that happen. That is the reason we eliminated hotels.

Mr. CHARLES C. SMITH. Mr. Speaker, we don't want to see that happen either. This bill should be clarified. The way we understand it now, it does not state it clearly.

Mr. WILLIAM B. SMITH. Mr. Speaker, I would have to have an amendment to do that because it was my understanding—and that point was not brought up—that under this particular bill they would buy the retail liquor license and it would automatically become a club license. We had thought that would eliminate one license. I see the gentleman's point. If it would drop the town quota below, it would immediately create a vacancy and they would be able to apply for a new license.

Mr. CHARLES C. SMITH. Mr. Speaker, that is right.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. WILLIAM B. SMITH. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 69 entitled:

An Act amending the act of June 24 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" regulating the display of meat packaged with transparent material

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. LOVETT. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture and Dairy Industries for the purpose of a public hearing at a time and place to be fixed by the Chairman of that committee.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 145 entitled:

An Act prohibiting the sale transfer purchase ownership possession and use of tear noxious gas and tear gas guns providing for certain exemptions and providing penalties

On the question,

Will the House agree to the bill on third reading?

Mr. MORAN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 5, page 4, line 7, by striking out after the article "a" and before the word "and" the following: "felony" and inserting in lieu thereof the following: "misdemeanor."

Amend Section 5, page 4, line 8, by striking out after the word "exceeding" and before the word "or" the following: "five thousand dollars ($5000)" and inserting in lieu thereof the following: "two thousand five hundred dollars ($2500)."

Amend Section 5, page 4, line 10, by striking out after the syllable "ing" and before the word "years" the following: "five" and inserting in lieu thereof the following: "two."

Amend Section 6, page 4, line 11, by striking out at the end of the line after the word "effect" the following: "immediately" and inserting in lieu thereof the following: "the first day of January one thousand nine hundred fifty-six"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 286 as follows:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" establishing special speed restrictions for business and residence districts in cities of the second class

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section 1002 act of May 1 1929 (P. L.905) known as "The Vehicle Code" is amended by adding at the end thereof a new clause to read

Section 1002 Restrictions as to Speed

* * *

(b) Subject to the provisions of subsection (a) of this section speeds in excss of the maximum limits hereinafter provided shall be unlawful

* * *

10 In any city of the second class where no special hazard exists that requires lower speed for compliance with paragraph (a) of this section the speed of any vehicle not in excess of the limits specified in this section or established as hereinafter authorized shall be lawful but any speed in excess of the limit specified in this section or established as hereinafter authorized shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful

(i) Thirty (30) miles per hour in any residence district

(ii) Twenty (20) miles per hour in any business district

Local authorities in cities of the second class may in their discretion authorize by ordinance higher prima facie

speeds than those stated upon through highways or portions thereof where there are no intersections or between widely spaced intersections which higher prima facie speed shall be effective at all times when signs are erected giving notice of the authorized speed but local authorities shall not have authority to modify or alter the basic rule set forth in paragraph (6) or in any event to authorize by ordinance a speed in exces of fifty (50) miles per hour

At the beginning and end of each such limited zone there shall be an official sign on each through street or highway indicating the beginning and end of the limited zone

* * *

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in defult of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objections

House Bill No. 369, Printer's No. 316 and

House Bill No. 370, Printer's No. 868

were passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 381 entitled:

An Act prescribing certain rights of employment and reemployment for members of the General Assembly.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1, page 1, line 1, by inserting after "employed" by an employer who employs twenty-five or more persons

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 873 entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto" prescribing duties and limitations for township supervisors as to holding other township offices, the number of meetings to be held, keeping of records and fixing compensation of certain township officers; changing the expense allowance for delegates to supervisors' conventions and the officers eligible to attend; fixing the procedure for selling township property; making tax exempt properties liable for certain costs for fire protection; prescribing duties of auditors and fixing compensation of members of zoning board of adjustment; providing for the construction of sidewalks and curbs and the payment therefor; changing the provisions relating to abandoned cemeteries, the publication of ordinances, connecting with sewers of adjacent municipalities, and the dedication, laying out, opening, improving, changing, relocation, taking over and vacating roads, streets and highways

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Page 36, line 1 by striking out "shall" and inserting in lieu thereof "may"

Amend Page 36, line 4 by inserting after "compensation" "if any."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. ERB. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title by inserting after "attend" providing for the selection of delegates and the payment of their expenses.

Amend Sec. 1, page 2, line 1 by inserting after "512" and.

Amend Sec. 1, page 2, lines 1 and 2 by striking out "clause (h) of section 516 and 531".

Amend Sec. 1 (Sec. 513) page 4, line 14 by striking out "daily and".

Amend Bill, page 5, by inserting between lines 4 and 5

Section 2. Section 515 of the act, amended May 24, 1951 (P. L. 370) is amended to read:

Section 515. Compensation of Supervisors.—Supervisors shall receive from the general township fund as compensation, not less than [four] six dollars nor more than [six] ten dollars for each meeting which they attend. The amount of the compensation for attending meetings shall be determined by the township auditors. [The township auditors shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of the roads and bridges] but shall not be less than six dollars nor more than ten dollars for each meeting they attend. The compensation of township supervisors for making a semi-annual inspection of roads and bridges shall be fixed by a majority action of the board of supervisors but shall not be more than twelve dollars per day. The compensation of supervisors, when acting as superintendents, roadmasters or laborers, shall be fixed by the township auditors either per hour, per day, per week, semimonthly or monthly, which compensation shall not exceed or be less than compensation paid in the locality for similar services, and such other reasonable compensation for the use of a passenger car, or a two-axled four-wheeled motor truck having a chassis weight of less than two thousand pounds and a maximum gross weight of five thousand pounds, when required and actually used for the transportation of road and bridge laborers and their hand tools, as the auditors shall determine and approve; but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors, unless such meeting is held during the nighttime.

Section 3. Clause (h) of section 516 and section 531 of the act, reenacted and amended July 10, 1947 (P. L. 1481) are amended to read:

Amend Sec. 1 (Sec. 516) page 5 lines 9 and 10 by striking out "authorized by the provisions of this act".

Amend Sec. 1 (Sec. 516) page 5, line 10 by inserting after "supervisors" Compensation for attending meetings shall be fixed by the board of supervisors but shall not exceed twenty dollars per day and eight cents per mile.

Amend Sec. 2, page 6, line 3 by striking out "2" and inserting in lieu thereof "4".

Amend Sec. 3, page 7, line 16 by striking out "3" and inserting in lieu thereof "5".

Amend Sec. 3, (Sec. 602) page 8, line 18 by inserting brackets before and after "six" and inserting immediately thereafter "ten".

Amend Sec. 3 (Sec. 602) page 8, line 19 by inserting brackets before and after "four" and inserting immediately thereafter "eight".

Amend Sec. 4, page 9, line 5 by striking out "4" and inserting in lieu thereof "6".

Amend Sec. 4, (Sec. 604) page 9, line 7 by inserting after "County" and Townships.

Amend Sec. 4 (Sec. 604) page 9, by inserting between lines 13 and 14 "Each board of supervisors may pay annual association dues not exceeding twenty dollars out of the general fund of the township to be used by the association for the payment of expenses.

Amend Sec. 5, page 10, line 3 by striking out "5" and inserting in lieu there of 7. Section 610 of the act, amended May 20, 1949 (P. L. 1562) is amended to read: Section 610. State Association Authorized.—The formation of a State Association of Township Supervisors is hereby authorized. The association shall hold annual meetings, at such time and place within the Commonwealth, as it may designate, for the purpose of discussing various questions and subjects pertaining to the duties of township supervisors and for the purpose of devising uniform, economical and efficient methods of administering the affairs of townships. [All dues assessed by the association, which shall not exceed twenty dollars per year per township, shall be paid by the member townships from their general township funds] The officers of the State association shall consist of a president, three vice-presidents, a secretary and a treasurer, none of whom shall be interested dirctly or indirctly, in the promotion or sale of road material and equipment and all of whom, except the secretary, shall be members of the association and shall hold office for one year, or until their successors are elected. The secretary may be a person not a regular member of the association and shall be paid such compensation as the other officers may determine. Every township supervisor and secretary attending conventions may vote in the election of officers. Each board of supervisors may pay annual association dues not exceeding twenty dollars out of the general fund of the township to be used by the association for the payment of expenses.

Within thirty days after each convention, the treasurer of the association shall furnish a report for the information of the members of the association an itemized statement, under oath, showing when and where the convention was held, the number of delegates present, and all the expenses connected with such convention, together with an itemized statement of all other association expenditures.

Section 8. Amend Sec. 5 (Sec. 611) page 10, line 5 by inserting brackets before "county" and after "association" and inserting immediately thereafter "board."

Amend Sec. 5 (Sec. 611) page 10, line 6 by inserting brackets before and after "shall" and inserting immediately thereafter "may."

Amend Sec. 5 (Sec. 611) page 10, line 6 by inserting after "or" where it appears the first time "the."

Amend Sec. 5 (Sec. 611) page 10, lines 6 and 7 by striking out "or secretary of the county association."

Amend Sec. 5 (Sec. 611) page 10, lines 7 and 8 by inserting brackets before "for" in line 7 and after "county" in line 8.

Amend Sec. 5 (Sec. 611) page 10, lines 9 and 10 by striking out "but each county association shall be entitled to" in line 9 and all of line 10.

Amend Sec. 5 (Sec. 612) page 10, lines 15 and 16 by inserting brackets before "county" in line 15 and after "ciations" in line 16 and inserting immediately thereafter "townships from the general fund."

Amend Sec. 6, page 10, line 17 by striking out "6" and inserting in lieu thereof "9."

Amend Sec. 7, page 13, line 8 by striking out "7" and inserting in lieu thereof "10."

Amend Sec. 8, page 16, line 16, by striking out "8" and inserting in lieu thereof "11."

Amend Sec. 9, page 17, line 11 by striking out "9" and inserting in lieu thereof "12."

Amend Sec. 10, page 19, line 15 by striking out "10" and inserting in lieu thereof "13."

Amend Sec. 11, page 21, line 11 by striking out "11' and inserting in lieu thereof "14."

Amend Sec. 12, page 24, line 8 by striking out "12" and inserting in lieu thereof "15."

Amend Sec. 13, page 26, line 3, by striking out "13" and inserting in lieu thereof "16."

Amend Sec. 14, page 29, line 18 by striking out "14" and inserting in lieu thereof "17."

Amend Sec. 15, page 31, line 15, by striking out "15" and inserting in lieu thereof "8."

Amend Sec. 16, page 32, line 17 by striking out "16" and inserting in lieu there of "19."

Amend Sec. 17, page 34, line 1 by striking out "17" and inserting in lieu thereof "20."

Amend Sec. 18, page 35, line 7 by striking out "18" and inserting in lieu there of "21."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 929, as follows:

An Act amending the act of July 20 1917 (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing mileage.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of July 20 1917 (P L 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" amended June 28 1951 (P L 931) is amended to read

Section 1 Be it enacted &c That from and after the passage of this act the fees to be charged and received by constables in this Commonwealth shall be as follows

For executing a warrant on behalf of the Commonwealth for each defendant two dollars fifty cents

For conveying defendant except vagrants to jail on mittimus or warrants for each defendant one dollar fifty cents and in addition thereto for each mile going and returning [ten] fifteen cents

For arresting persons guilty of a breach of the peace riotous or disorderly conduct drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any ordinance of any borough for the violation of which a fine or penalty is imposed or offending or suspected of offending against the laws of this Commonwealth protecting timberlands or the violation of any other law of this Commonwealth authorizing arrest by constable without process and bringing such offender before a justice of the peace for each defendant one dollar and for every act in or about the arrest or commitment of vagrants two dollars for each vagrant so arrested or arrested and committed and mileage as hereinafter provided

For levying a fine or forfeiture on a warrant fifty cents

For taking the body of a defendant into custody on a mittimus where bail is afterwards entered before delivery of body to the jailer two dollars fifty cents

For executing discharge to jailer two dollars fifty cents

For executing bail-piece one dollar

For executing a search-warrant and making return thereon one dollar

For making returns to the court of quarter sessions two dollars and fifty cents

For serving summons notices on referees suitor or tenant either personally or by leaving copy one dollar fifty cents for each person served

For serving subpoena in all cases one dollar fifty cents for the first witness and seventy-five cents for each additional witness served

For executing attachment one dollar fifty cents for each defendant and garnishee served

For arresting on a capias one dollar for each person arrested

For taking bail on a capias or for delivery of goods fifty cents

For notifying plaintiff where defendant has been arrested on capias to be paid by plaintiff twenty-five cents

For serving capias execution one dollar

For executing landlord's warrant two dollars

For taking inventory of goods each item two cents

For levying or distraining goods two dollars fifty cents

For advertising personal property to public sale two dollars and fifty cents

For selling goods levied or distrained two dollars and when the same continues longer than three hours five dollars per day

For clerk hire at said sales when necessary five dollars per day

For watchman taking charge of property levied on when necessary five dollars per day also reasonable expenses of insurance arranging goods for sale heat light storage rent transportation feeding livestock and similar expenses incurred in caring for and keeping goods and chattels levied upon when the same is necessary and advantageous or when requested by the plaintiff or defendant to incur such expense

For receiving and paying over money paid after a levy without sale one dollar and fifty cents

For copy of vendue paper when demanded each item two cents

For putting up notice of distress at mansion home or at any other place on the premises fifty cents

For serving scire facias either personally or by leaving a copy for each person served one dollar fifty cents for the first copy seventy-five cents for each additional copy

For executing order of removal of a pauper or paupers two dollars for each pauper

For making return of nulla bona or non est inventus on any writ one dollar fifty cents

For executing writ of restitution five dollars

For executing writ of possession five dollars

For serving summons in landlord and tenant proceedings one dollar fifty cents

For taking inventory of goods on an execution each item two cents

For holding appraisement where exemption is claimed by defendant four dollars out of which the constable shall pay to each appraiser one dollar

For traveling expenses in the performances of any duty or service hereinbefore set forth or in the performance of any other duty or service required by law each mile going and returning [ten] fifteen cents to be computed by the route usually traveled in going from points and places where said constables may reside or where he receives any paper to be executed to the points or places required to be traveled whether that route be by highways railroads or otherwise Provided That in no case shall more mileage be demanded or received than for the miles actually traveled

For services not herein specially provided for the same fee may be charged and received as for similar services

And said bill having been read at length the third time, considered and agreed to

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adam,	Frost,	McCann,	Scarcelli,
Agnew,	Gaffney,	McCormack,	Schuster,
Amarando,	Garlock,	McGee,	Sherman,
Anderson, M. S.,	Gelfand,	McLaughlin,	Sigman,
Anderson, S. A.,	Gibson,	McWherter,	Smith, C. C.
Ashton,	Goldstein,	Meholchick,	Smith, Wm. B.
Auker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,

Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker
Frascella,	Maxwell,	Sarraf,	

NAYS—1

Banker,

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was termined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence

Agreeably to order,

The House proceeded to the third reading and considera-ation of House Bill No. 986, as follows:

An Act relating to chattel mortgages executed and filed prior to July 1 1954 regulating the assignment release satisfaction and extension of the lien of mortgages and the filing indexing and docketing thereof in prothonotaries' offices prescribing methods of foreclosure defining defaults and violations prescribing prothonotaries' fees and fixing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definition As used in this act

(1) "Chattel Mortgage Act of 1945" shall mean the act of June 1 1945 (P L 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" as amended from time to time while the act was in effect

(2) "Chattel Mortgage" shall mean a mortgage upon any chattel or chattels of any kind or description which was executed and filed on or after June 1 1945 and prior to July 1 1954 in accordance with the Chattel Mortgage Act of 1945

Section 2 Indices The prothonotary shall continue to maintain the books known as the "Chattel Mortgage Book" and the "Chattel Mortgage Index" which he maintained pursuant to the Chattel Mortgage Act of 1945 in which he shall docket and index each instrument presented to him for filing pursuant to this act

Section 3 Filing Related Instruments Any Instrument affecting the lien of a chattel mortgage or its ownership may be filed in each office in which the chattel mortgage is filed and from the date of filing thereof each such instrument shall be good and valid as against subsequent purchasers subsequent mortgages or other subsequent lienors subsequent encumbrancers and holders of subsequent security interests with or without notice thereof and the fact and date of filing of each instrument shall be noted by the prothonotary on the margin of the page on which the chattel mortgage is docketed

Section 4 Property Moved to Another County If any of the property covered by a chattel mortgage is removed with or without the written consent of the mortgagee from the county in which it was located at the time of execution of the mortgage or from the county in which the mortgage was filed a true copy of the mortgage may be filed in the office of the prothonotary in the county to which the property is removed

Section 5 Assignments Any chattel mortgage may be assigned by an instrument in writing signed by the mortgagee or assignee and setting forth the amount of the debt as of the assignment and upon presentation of the assignment to the prothonotary the prothonotary shall file it and note on the margin of the page in which the chattel mortgage is docketed the fact of the assignment the date of the notation the name of the assignor the name of the assignee the address of each the date of the assignment and the amount of the debt as of the date of the assignment and the assignment shall except as to the parties thereto take effect and be valid only from the time of the marginal notation as herein provided Any chattel mortgage may be assigned by an assignment stating the amount of the debt on the date of the assignment and executed by the mortgagee or assignee on the margin of the page where the chattel mortgage is docketed which assignment shall be attested by the prothonotary

Section 6 Satisfatcion Any chattel mortgage may be satisfied by an instrument in writing signed by the mortgagee or assignee and upon presentation of the instrument to the prothonotary the prothonotary shall file it and note the fact of the satisfaction and the date thereof on the margin of the page of the book where the chattel mortgage is docketed and when so noted the satisfaction shall fully and effectually release the lien of such mortgage Any chattel mortgage may be satisfied by the mortgagee or assignee on the margin of the page where such chattel mortgage is docketed which satisfaction shall be attested by the prothonotary Each satisfaction of a chattel mortgage lien shall be noted by the prothonotary on the line of the page on which the chattel mortgage is indexed

Section 7 Extension A chattel mortgage shall remain a lien on the property mortgaged as between the parties thereto until paid but as to third parties shall not remain a lien for a longer period than five years from the date it was last filed or extended pursuant to the Chattel Mortgage Act of 1945 or this act unless the lien thereof is extended by filing prior to the expiration of the lien with the prothonotary an affidavit of the mortgagee or his assignee stating the amount then secured by the lien in which case the said mortgage shall remain a lien for an additional period of five years from the date of the filing of the affidavit The lien of any mortgage may be further extended with like effect by the filing of successive affidavits The prothonotary shall note each extension of a chattel

mortgage lien and date of filing thereof on the margin of the page of the book where the chattel mortgage is docketed The prothonotary shall also index each extension in the "Chattel Mortgage Index" in the same manner as provided for the indexing of chattel mortgages originally filed

Section 8 Remedies (a) Upon default in any of the terms and covenants of any chattel mortgage the mortgagee assignee or duly authorized attorney or agent of such mortgagee or assignee shall have the right either by process of law by writ of replevin or otherwise or without process of law immediately to take possession of the mortgaged property and to do all things necessary to preserve the same and any expense incurred in conjunction therewith shall be included in and secured by the lien of said chattel mortgage and this right shall be in addition to any and all other rights inuring to the benefit of the mortgagee or assignee

(b) In the event of the repossession of the mortgaged chattel in accordance with the provisions of this section the mortgagee may sell the chattel at public or private sale after giving a written notice of at least ten days thereof to the mortgagor by mailing same to him at his last known address Any surplus realized in excess of debt and costs shall be paid over to the mortgagor and any deficit may be collected from the mortagor under the provisions of section 9 hereof

(c) The mortgagor or his assignee at any time prior to the sale of the mortgaged property either by precess of law by writ of replevin or otherwise or without process of law upon making payment to the mortgagee or his assignee of the indebtedness secured by the chattel mortgage together with interest theron and other charges and amounts payable under the terms of the chattel mortgage or the bond or note secured by the same

(d) A mortgagee may after default replevin any goods subject to a chattel mortgage and in excess of one hundred dollars ($100) in value in the hands of a third person who took title to the goods with actual or constructive notice of the mortgage or if the goods have been consumed or are not in the possession of the third person the mortgagee may recover the value of the goods in an action in trespass for conversion

Section 9 Foreclosure Upon default by the mortgagor in the payment of the mortgage debt either as to principal or interest or upon default in the performance of any covenant contained in the chattel mortgage or bond or note the chattel mortgage may be foreclosed by any of the methods by law for the foreclosure of a mortgage including the entry of judgment on the bond or note secured by the chattel mortgage The lien of any levy which may be made upon the mortgaged property by virtue of any execution based upon a judgment entered upon the bond or note shall relate back to the date of the filing of the chattel mortgage In foreclosure proceedings the mortgaged chattels may be sold in the same manner as authorized by the laws of this Commonwealth in the case of personal property sold under execution

Section 10 Penalties Any person who without the written consent of the mortgagee or his assignee shall wilfully sell any property mortgaged by him or his predecessor in title in conformity with the provisions of the Chattel Mortgage Act of 1945 either before or after the debt is due and before the debt is paid or shall wilfully injure destroy conceal or without notice to the mortgagee abandon or shall wilfully deface any marks identifying any mortgaged property shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment not exceeding one year or to pay a fine of double the value of the personal property so sold injured destroyed defaced concealed or abandoned or either or both

Section 11 Prothonotarys' Fees The prothonotary shall be entitled to charge and receive the following fees

(1) For filing indexing and noting each assignment of a chattel mortgage one dollar and fifty cents ($1.50)

(2) For filing and noting each partial release satisfaction extention or subordination by written instrument seventy-five cents (75¢)

(3) For attesting the entry of a marginal satisfaction and noting the satisfaction on the index seventy-five cents (75¢)

(4) For indexing and attesting the entry of a marginal assignment one dollar ($1.00)

(5) For a certified copy of a chattel mortgage the sum of fifty cents (50¢) if a copy of the instrument is furnished at the time it is filed

Section 12 Extension Affidavits In the case of a chattel mortgage filed or last extended during the period beginning July 1 1949 and ending five years prior to the effective date of this act if an affidavit of the mortgagee or his assignee has been filed with the prothonotary on or after July 1 1954 and prior to the effective date of this act in the manner provided by the Chattel Mortgage Act or if an affidavit is filed within sixty days after the effective date of this act in the manner provided by section seven hereof stating the amount secured by a chattel mortgage at the time of the affidavit the mortgage shall be a lien on the mortgaged property which shall be good and valid against and superior to all rights of all persons who after the effective date of this act become purchasers mortgagees lienors or encumbrancers of and all persons who after the effective date of this act deal with the mortgaged property or acquire a security interest therein and shall remain a lien on the mortgaged property as to them for a period of five years from the date of filing

Section 13 Construction (a) This act shall not be construed to adversely affect or impair the lien of or rights under any existing chattel mortgage nor shall this act be construed to repeal or affect any act relating to chattel mortgages not herein expressly repealed

(b) The provisions of this act shall be liberally construed to hold valid chattel mortgages made in good faith to secure bona fide loans and which substantially comply with the provisions of this act

Section 14 Effective Date This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	**Frascella,**	Markley,	**Rudisill,**
Agnew,	**Frost,**	**Maxwell,**	**Sarraf,**
Amarando,	**Gaffney,**	**McCann,**	Scarcelli,
Anderson, M. S.,	**Garlock,**	**McCormack,**	**Schuster,**
Anderson, S. A.,	**Gelfand,**	**McGee,**	**Sherman,**
Ashton,	**Gibson,**	McLaughlin,	**Sigman,**
Auker,	**Goldstein,**	**McWherter,**	**Smith, C. C.,**
Banker,	**Gramlich,**	**Meholchick,**	**Smith, W. B.,**
Barnatovich,	**Greenwood,**	**Metz,**	**Snider,**
Bazin,	**Guss,**	**Mihm,**	**Stank,**
Bell,	**Hamilton, R. K.,**	**Mikula,**	**Stebbins,**
Boies,	**Hass,**	**Miller,**	**Steckel,**
Bonner,	**Haudenshield,**	**Mills,**	**Stephens,**
Boory,	**Heavey,**	**Monroe,**	**Stevenson,**
Bower,	**Henzel,**	**Moody,**	**Stone,**
Branca,	**Hocker,**	**Moran,**	**Stoner,**
Breisch,	**Holt,**	**Moscrip,**	**Strausser,**
Brennan, A. P.,	**Horst,**	**Mullen,**	**Stroup,**
Brennan, J. J.,	**Houk,**	**Munley,**	**Swartz,**
Breth,	**Isaacs,**	**Murphy,**	**Taylor,**
Brown,	**Jenkins,**	**Murray, H. P.,**	**Thomas,**
Bucchin,	**Johnson,**	**Murray, J. J.,**	**Thompson,**
Bullen,	**Jones, G. E.,**	**Murray, P. G.,**	**Toll,**
Capano,	**Jones, T. H. W.,**	**Musto,**	**Toomey,**
Cianfrani,	**Jump,**	**Naugle,**	**Varner,**
Cioffi,	**Kamyk,**	**Needham,**	**Vaughan,**
Cochran,	**Kehler,**	**Ogilvie,**	**Verona,**
Comer,	**Kent,**	**Olsen,**	**Wall,**
Connelly,	**Knecht,**	**O'Neil,**	**Wallace,**
Cooper,	**Kolankiewicz,**	**Pacchioli,**	**Walsh,**
Curwood,	**Kooker,**	**Parry,**	**Wargo,**
Davis,	**Kornick,**	**Paulhamus,**	**Waterhouse,**
Donahue,	**Kromer,**	**Petrosky,**	**Weidner,**
Donaldson,	**Kubacki,**	**Pettigrew,**	**Welsh,**
Dougherty,	**Lawyer,**	**Polaski,**	**Wescott,**
Down,		**Polen,**	**Wheeler,**

Ehrgood,	Leiby,	Price,	Whitenight,
Erb,	Leisey,	Pursley,	Willaredt,
Eshleman,	Leonard,	Readinger,	Williams,
Ewing,	Leven,	Reibman,	Wilt,
Farabaugh,	Light,	Reidenbach,	Wood,
Filo,	Limper,	Renwick,	Worley,
Fineman,	Lopresti,	Rigby,	Yetter,
Flint,	Lovett,	Rosen,	Yetzer,
Floyd,	Lutty,	Rovansek,	Young,
Flynn,	Magee,	Royer,	Ziegler,
Frank,	Mahan,	Rubin,	Andrews, Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy.	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney.	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1002 entitled:

An Act relating to conditional sales made prior to July 1 1954

On the question,

Will the House agree to the bill on third reading?

Mr. LOPRESTI. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1, page 3, by inserting between lines 11 and 12 (10) "Filing officer" means a person in charge of the office for filing conditional sale contracts in a filing district.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objections

House Bill No. 1219, Printer's No. 383

was passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1221 as follows:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" limiting the period for approval of one-room one-teacher schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of clause (6) of section 2501 act of March 10 1949 (P. L. 30) known as the "Public School Code of 1949" amended December 27 1951 (P. L. 1783) is amended to read

Section 2501 Definitions For the purpose of this article the following terms shall have the following meanings

(6) "Standard Reimbursement Fraction" * * *

A school district's or vocational school district's number of district teaching units for purposes of determination of the standard reimbursement fraction shall be obtained as follows (i) divide by twenty-two (22) the number of district pupils in average daily membership in a public high school during the preceding school term (ii) divide by thirty (30) the number of district pupils in average daily membership in a public elementary school during the preceding school term and (iii) add the quotients obtained under (i) and (ii) above except when the pupil-teacher ratio exceeds thirty-three (33) in which case the sum obtained under (i) and (ii) above shall be multiplied by thirty-three (33) and the product so obtained shall be divided by the pupil-teacher ratio of the district No school district or vocational school district shall be credited with less than one teaching unit or be assigned a reimbursement fraction lower in value than the minimum subsidy divided by the maximum subsidy All one-room schools operated in accordance with the provisions of this act shall if their operation is approved by the State Council of Education be credited with at least one teaching unit The State Council of Education shall withhold its approval of any one-room one-teacher school whose operation has been approved for a period of fifteen years beginning with the school year 1946-1947 and shall not approve the operation of any one-room one-teacher school unless (i) topography distance or condition of roads are such as to make transportation of pupils impractical or (ii) it is impossible to accommodate pupils in existing graded schools in the district or other districts or (ii) the district is financially unable to construct a consolidated school

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Adam,	Frost,	Markley,	Rubin,
Agnew,	Gaffney,	Maxwell,	Rudisill,
Amarando,	Gelfand,	McCann,	Sarraf,
Anderson, M. S.,	Gibson,	McCormack,	Scarcelli,
Anderson, S. A.,	Goldstein,	McGee,	Schuster,
Ashton,	Gramlich,	McLaughlin,	Sherman,
Barnatovich,	Greenwood,	McWherter,	Sigman,
Bazin,	Guss,	Meholchick,	Smith, C. C.,
Bell,	Hamilton, R. K.,	Metz,	Smith, W. B.,
Boles,	Hass,	Mihm,	Snider,
Bonner,	Haudenshield,	Miller,	Stank,
Boory,	Heavey,	Mills,	Stebbins,
Bower,	Henzel,	Monroe,	Steckel,
Branca,	Hocker,	Moody,	Stephens,
Breisch,	Holt,	Moran,	Stone,
Brennan, A. P.,	Isaacs,	Mullen,	Stoner,
Brennan, J. J.,	Jenkins,	Munley,	Swartz,
Breth,	Johnson,	Murphy,	Taylor,
Brown,	Jones, G. E.,	Murray, H. P.,	Thomas,
Bucchin,	Jones, T. H. W.,	Murray, J. J.,	Thompson,
Bullen,	Jump,	Musto,	Toll,
Capano,	Kamyk,	Naugle,	Toomey,
Cianfrani,	Kehler,	Needham,	Varner,
Cioffi,	Kent,	Ogilvie,	Vaughan,
Cochran,	Knecht,	Olsen,	Verona,
Comer,	Kolankiewicz,	O'Neil,	Wallace,
Connelly,	Kornick,	Pacchioli,	Walsh,
Cooper,	Kromer,	Parry,	Wargo,
Davis,	Kubacki,	Paulhamus,	Waterhouse,
Donaldson,	Lawyer,	Petrosky,	Weidner,
Dougherty,	Leiby,	Pettigrew,	Welsh,
Down,	Leisey,	Polaski,	Wescott,
Erb,		Polen,	Wheeler,

Ewing,	Leonard,	Price,	Whitenight,
Farabaugh,	Leven,	Readinger,	Willaredt,
Filo,	Light,	Reibman,	Williams,
Fineman,	Limper,	Reidenbach,	Wilt,
Flint,	Lopresti,	Renwick,	Yetter,
Floyd,	Lovett,	Rigby,	Yetzer,
Flynn,	Lutty,	Rosen,	Young,
Frank,	Magee,	Rovansek,	Ziegler,
Frascella,	Mahan,	Royer,	Andrews, Speaker

NAYS—20

Auker,	Eshleman,	Mikula,	Strausser,
Banker,	Garlock,	Moscrip,	Stroup,
Curwood,	Horst,	Murray, P. G.,	Wall,
Donahue,	Houk,	Pursley,	Wood,
Ehrgood,	Kooker,	Stevenson,	Worley,

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1263 as follows:

An Act authorizing for the establishment of fireman pension pension funds or pension annuities in boroughs towns and townships and the regulation and maintenance thereof providing for continuance of existing funds or transfer thereof to funds herein established and prescribing rights of beneficiaries.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Each borough town and township of this Commonwealth maintaining paid firemen may establish by ordinance a firemen's pension fund or pension annuity to be maintained by an equal and proportionate monthly charge against each member of the paid fire departemnt of any borough or first or second class townships or towns which may not exceed annually three per centum of the pay of such member by annual appropriations made by the borough town or township by payments made by the State Treasurer to the municipal treasurer from the moneys received from taxes paid upon premiums by foreign fire insurance companies for purposes of pension retirement or disability benefits for firemen and by gifts grants devises or bequests granted to the pension fund pursuant to section 2 of this act Such fund may be under the direction of the governing body of the borough town or township or committed to the direction of such committee as may be designated by such governing body and applied under such regulations as such governing body may by ordinance prescribe for the benefit of such members of the fire department as may receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service but such pension allowances as may be made to those who are retired by reason of disability or age may be in conformity with a uniform scale

The annual appropriation made by the borough town or township each year may be sufficient when added to the contributions made by members of the fire department during such year payments made by the State Treasurer to the municipal treasurer from the moneys received from taxes paid upon premiums by foreign fire insurance companies for purposes of pension retirement or disability benefits for firemen and income from investment trust funds or other lawful enterprises together with any other moneys paid into such firemen's pension fund according to existing law and practices to pay in full the pensions payable during such year

Section 2 It may be competent for any borough town or township firemen's pension fund to take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of such fund and the care management investment and disposal of such trust funds or property may be vested in the person or persons having the management of such firemen's pension fund and the said trust funds may be governed thereby subject to such directions not inconsistent therewith as the donors of such funds and property may prescribe

Section 3 Each ordinance establishing a firemen's pension fund may prescribe a minimum period of total service not less than twenty years and a minimum age of fifty years after which members of the department may retire from active duty and such members as are retired may be subject to service from time to time as a fire reserve until unfitted for such service when they may be finally discharged by reason of age or disability

Section 4 Any member of the fire department employed by a borough town or township who has been a regularly appointed employe of any such political subdivision for a period of at least six months and who thereafter may heretofore or hereafter be inducted into the military service of the United States in time of war or National emergency so proclaimed by the President of the United States may have credited to his employment record for pension or retirement benefits all of the time spent by him in such military srvice during the continuance of such war or National emergency if such person returns or has heretofore returned to his employment within six months after his separation from the service.

Section 5 Payments made under the provisions of this act may not be a charge on any other fund in the treasury of any borough town or township or under its control save the firemen's pension fund herein provided for The basis of the apportionment of the pension may be determined by the rate of the monthly pay of the member at the date of death honorable discharge or retirement and may not in any case be less than one-half the highest pay of such member during any period of twelve months within the last twelve months of employment computed at such monthly rate

Section 6 (a) Where there is an existing pension fund managed by a private organization or association for the members of the fire department in any borough town or township on the effective date of this act such fund may continue as constituted only upon the following terms and conditions

(1) The amount paid in pensions to each beneficiary under the established fund may be in excess of any amount so payable from the fund established pursuant to this act and

(2) If the borough town or township in which such an established fund exists undertakes to annually appropriate sufficient moneys to compensate the existing fund for any deficit in the amount of money needed to pay pension obligations during any calendar year and

(3) If not over two-thirds of the beneficiaries and dues paying membership of the existing organization or association vote to transfer its funds into a pension fund established by a borough town or township pursuant to this act

(b) In any instance where an existing fund is transferred to a fund established by a political subdivision pursuant to the provisions of this act all the assets and liabilities of such existing fund may be so transferred Such transfer may be made by the transfer of securities After such transfer the borough town or township firemen's pension fund may assume the liability of continuing the payment of pensions to members of the fire department retired prior to such transfer in accordance with the laws and regulations under which such members were retired

Section 7 No person participating in a firemen's pension fund established pursuant to the provisions of this act and becomes entitled to receive a benefit therefrom may be deprived of his right to an equal proportionate

share therein upon the basis upon which he first became entitled thereto

Section 8 Any member of a fire department of a borough town or township who for any reason whatsoever shall be ineligible to receive a pension after having contributed any charges to a firemen's pension fund established pursuant to the provisions of this act or to a firemen's pension fund existing on the effective date of this act supplanted by a firemen's pension fund established pursuant to the provisions of this act may be entitled to a refund of all such moneys paid by him into such funds immediately upon discontinuance of his employment with the fire department

Section 9 The pension payments herein provided for may not be subject to atachment execution levy garnishment or other legal process and may be payable only to the beneficiary designated by this act and may not be subject to assignment or transfer

Section 10 All acts and parts of acts are repealed in so far as they are inconsistent herewith

Section 11 This act shall take effect January 1 1956

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boies,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objections

House Bill No. 1311, Printer's No. 1024

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1388 as follows:

An Act amending the act of May 25 1945 (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" changing the salaries of the tax collector in cites of the third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 33 act of May 25 1945 (P. L. 1050) known as the "Local Tax Collection Law" amended May 2 1949 (P. L. 791) and May 17 1949 (P. L. 1400) is amended to read

Section 33 Compensation and Expenses of Tax Collector in Cities of the Third Class Shared For the collection of city county institution distric and school taxes in a city of the third class the city treasurer as tax collector shall be paid an annual salary which salary where not definitely fixed by this section shall be fixed before the election of the city treasurer jointly by taxing authorities other than the institution district whose taxes are collected under the provisions of this act In the case of newly created cities the said salary where not definitely fixed by this act shall be fixed by said taxing authorities before any tax duplicates are delivered to the city treasurer In fixing the salary of the tax collector the taxing authorities fixing the same shall each be assigned one vote which one vote shall be divided into fractions assigning an equal fraction of one vote to each member of the same taxing authority and a majority of all the fractional votes cast shall govern

[In cities of the third class having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector not be less than one thousand six hundred dollars nor more than three thousand five hundred dollars

In cities of the third class having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars nor more than five thousand dollars

In cities of the third class having a population of more than fifty thousand inhabitants and not exceeding fifty-five thousand inhabitants the annual salary of the tax collector shall be six thousand dollars

In cities of the third class having a population of more than fifty five thousand inhabitants the annual salary of the tax collector shall not exceed seven thousand five hundred dollars]

The minimum annual salary of the tax collector in cities of the third class having a population of

less than 10,000	shall be	$4000
10,000 or more but less than 20,000	shall be	4500
20,000 or more but less than 35,000	shall be	5500
35,000 or more but less than 50,000	shall be	6500
50,000 or more but less than 75,000	shall be	7500
75,000 or more but less than 100,000	shall be	8500
100,000 and more	shall be	9500

The tax collector of each city of the third class shall appoint all necessary deputies clerks and assistants whose number and salaries shall be fixed jointly by the taxing districts in the same manner as hereinbefore provided the fixing of the salary of the tax collector Said deputies clerks and assistants shall give fidelity bond payable to the Commonwealth for the use of the city county institution district and school district conditioned on the faithful accounting and payment over of all tax moneys received by them

Each city of the third class shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor service

The salaries of the tax collector and his deputies clerks and assistants shall be paid monthly or semi-monthly in equal proportions by the city the county and the school district in the same manner as other officers of said city county and school district under such arrangement as to payment as may be agreed upon between said taxing districts

The salaries of the city treasurer as tax collector his deputies clerks and assistants as fixed under the provisions of this section shall in each case be considered as salary or compensation for purposes of any pension or retirement act in effect in such city and the taxing authorities other than the institution district shall contribute pay or guarantee to the pension or retirement fund the amount which according to law the city is required to contribute pay or guarantee to such fund by reason of the fact that the salares herein provided for are considered as salaries or compensation of such employes for the calculation of pension or retirement rights and liabilities Each taxing district may annually set aside apportion and appropriate out of all taxes and income a sum sufficient for such payments or guarantees

The salaries of the deputies clerks and assistants of the city treasurer as tax collector as fixed under the provisions of this section shall in each case be considered as salary or compensation paid by the city for the purposes of any pension or retirement act in effect in such city and the taxing authorities other than such city or an institution district shall pay to the said city their respective pro rata share of the amount paid by the city to said fund

The taxing authorities other than the institution district shall be required to pay in the proportions hereinafter prescribed the premium on the bonds required to be given by law by the tax collector and his deputies clerks and assistants to the Commonwealth

The taxing authorities other than the institution district shall in equal proportions pay the cost of stationary supplies printing notices postage telephone service office equipment and incidental expenses necessarily incurred in the conduct of the tax collector's office these expenses to be determined by a board consisting of one representative from each such taxing authority to be appointed by such taxing authority

In sharing the cost of premium on bonds the city county and school district shall each pay such portion thereof as the amount of taxes on its duplicate delivered to the city treasurer for collection bears to the total amount of the taxes on the duplicates of all said taxing districts delivered to the treasurer for collection The proportionate shares of the above costs to be paid by the said taxing districts under the provisions of this amendment shall commence on the date when this act becomes effective shall be calculated on the tax duplicates delivered to the city treasurer in the year one thousand nine hundred forty-nine and shall be paid according to such initial calculation for a period of twelve months At the end of such twelve month period and at the end of each twelve month period thereafter new pro rata shares shall be calculated on the tax duplicate delivered to the city treasurer during the calendar year in which such period ended and shall be paid for the twelve months following

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Adam,	Gaffney,	McLaughlin,	Scarcelli,
Agnew,	Garlock,	McWherter,	Schuster,
Amarando,	Gelfand,	Meholchick,	Sherman,
Anderson, M. S.,	Gibson,	Metz,	Sigman,
Anderson, S. A.,	Goldstein,	Mihm,	Smith, C. C.,
Auker,	Greenwood,	Mikula,	Smith, W. B.,
Barnatovich,	Guss,	Miller,	Snider,
Bazin,	Hamilton, R. K.,	Mills,	Stank,
Bell,	Hass,	Monroe,	Stebbins,
Boles,	Haudenshield,	Moody,	Stephens,
Bonner,	Heavey,	Moran,	Stevenson,
Boory,	Hocker,	Moscrip,	Stone,
Bower,	Holt,	Mullen,	Strausser,
Branca,	Horst,	Munley,	Stroup,
Breisch,	Isaacs,	Murphy,	Swartz,
Brennan, A. P.,	Jenkins,	Murray, H. P.,	Taylor,
Brennan, J. J.,	Johnson,	Murray, J. J.,	Thomas,
Breth,	Jones, G. E.,	Musto,	Thompson,
Bucchin,	Jones, T. H. W.,	Naugle,	Toll,
Bullen,	Jump,	Needham,	Toomey,
Capano,	Kamyk,	Olsen,	Vaughan,
Cianfrani,	Kehler,	O'Neil,	Verona,
Cioffi,	Kent,	Pacchioli,	Varner,
Cochran,	Knecht,	Parry,	Wall,
Comer,	Kolankiewicz	Paulhamus,	Wallace,
Connelly,	Kornick,	Petrosky,	Walsh,
Cooper,	Kromer,	Pettigrew,	Wargo,
Curwood,	Kubacki,	Polaski,	Waterhouse,
Donaldson,	Lawyer,	Polen,	Weidner,
Dougherty,	Leiby,	Price,	Welsh,
Down,	Leonard,	Pursley,	Wescott,
Ehrgood,	Leven,	Readinger,	Wheeler,
Ewing,	Limper,	Reibman,	Whitenight,
Farabaugh,	Lopresti,	Reidenbach,	Willaredt,
Filo,	Lovett,	Renwick,	Williams,
Fineman,	Lutty,	Rigby,	Wilt,
Flint,	Magee,	Rosen,	Yetter,
Floyd,	Mahan,	Rovansek,	Yetzer,
Flynn,	Maxwell,	Royer,	Young,
Frank,	McCann,	Rubin,	Andrews,
Frascella,	McCormack,	Rudisill,	Speaker
Frost,	McGee,	Sarraf,	

NAYS—21

Ashton,	Eshleman,	Leisey,	Steckel,
Banker,	Gramlich,	Light,	Stoner,
Brown,	Henzel,	Markley,	Wood,
Davis,	Houk,	Murray, P. G.,	Worley,
Donahue,	Kooker,	Oglivie,	Ziegler,
Erb,			

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Ellberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1391, as follows:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" fixing the minimum salary of city treasurers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1402 act of June 23 1931 (P L 932)

known as "The Third Class City Code" amended July 2 1953 (P L 318) is amended to read

Section 1402 Bond Insurance Salary The city treasurer shall give lawful fidelity bond to the Commonwealth with a surety company authorized by law to act as surety to be approved by the city council in such sum as it may by ordinance direct conditioned for the accounting for and paying over all moneys received by him in his capacity as city treasurer and the safekeeping and payment over of all public moneys entrusted to his care and that as tax collector of city county institution district and school taxes he shall account for and pay over all moneys received by him as taxes penalties and interest The city treasurer shall in addition furnish adequate insurance protection against any and all losses of said funds through fire burglary larceny theft robbery or forgery Such insurance shall be approved by the city council in such sum as it may by ordinance direct The city treasurer and his surety shall be discharged from further liability on any bond as tax collector as soon as all tax items contained in the duplicates delivered to him are either (1) collected and paid over or (2) certified to the city council for entry as liens in the office of the prothonotary or as claims in the tax claim bureau as the case may be or (3) returned to the county treasurer or city treasurer for sale or (4) in the case of taxes not levied upon real estate a record of those which remain uncollected is filed with the tax authority The city treasurer shall be required to give in addition to insurance as aforesaid but one bond which shall include his duties as city treasurer and collector of city county institution district and school taxes and shall cover the full term of his office Should any of the taxing districts be of the opinion at any time that the bond and insurance as aforesaid provided by the city treasurer is not sufficient in amount as to the surety and insurance thereon the said taxing district may petition the court of quarter sessions having jurisdiction in the city to have the city treasurer furnish additional bond and insurance as aforesaid Thereupon the city treasurer shall furnish such additional bond and insurance if any as the said court may prescribe The premium of the bond or bonds and insurance shall be paid by the city or share pro rata by the taxing districts interested as the case may be according to their respective tax interest The treasurer shall not in any event be required to provide bond or bonds and insurance in an amount in excess of the taxes to be collected by him The bond or bonds and insurance provided by the city treasurer shall or be for the use of the city and the taxing districts involved He shall as city treasurer receive a fixed annual salary to be provided by ordinance but the minimum salary of the city treasurer in cities of the third class having a population of

less than 10,000	shall be	$ 500
10,000 or more but less than 20,000	shall be	750
20,000 or more but less than 35,000	shall be	1,000
35,000 or more but less than 50,000	shall be	1,250
50,000 or more but less than 75,000	shall be	1,500
75,000 or more but less than 100,000	shall be	1,700
100,000 and more	shall be	2,000

His compensation as tax collector for the city county institution district and school district shall be as provided for in the Local Tax Collection Law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Adam,	Frost,	McCann,	Rudisill,
Agnew,	Gaffney,	McCormack,	Sarraf,
Amarando,	Garlock,	McGee,	Scarcelli,
Anderson, M. S.,	Gelfand,	McLaughlin,	Schuster,
Anderson, S. A.,	Gibson,	McWherter,	Sherman,
Auker,	Goldstein,	Meholchick,	Sigman,
Barnatovich,	Greenwood,	Metz,	Smith, C. C.,
Bazin,	Guss,	Mihm,	Smith, Wm. B.,
Bell,	Hamilton, R. K.,	Mikula,	Snider,
Boles,	Hass,	Miller,	Stank,
Bonner,	Haudenshield,	Mills,	Stebbins,
Boory,	Heavey,	Monroe,	Stephens,
Bower,	Hocker,	Moody,	Stevenson,
Branca,	Holt,	Moran,	Stone,
Breisch,	Horst,	Moscrip,	Strausser,
Brennan, A. P.,	Houk,	Mullen,	Stroup,
Brennan, J. J.,	Isaacs,	Munley,	Swartz,
Breth,	Jenkins,	Murphy,	Taylor,
Bucchin,	Johnson,	Murray, H. P.,	Thomas,
Bullen,	Jones, G. E.,	Murray, J. J.,	Thompson,
Capano,	Jones, T. H. W.,	Musto,	Toll,
Cianfrani,	Jump,	Naugle,	Varner,
Cioffi,	Kamyk,	Needham,	Vaughan,
Cochran,	Kehler,	Olsen,	Verona,
Comer,	Kent,	O'Neil,	Wall,
Connelly,	Knecht,	Pacchioli,	Wallace,
Cooper,	Kolankiewicz,	Parry,	Walsh,
Curwood,	Kornick,	Paulhamus,	Wargo,
Donahue,	Kromer,	Petrosky,	Waterhouse,
Donaldson,	Kubacki,	Pettigrew,	Weidner,
Dougherty,	Lawyer,	Polaski,	Welsh,
Down,	Leiby,	Polen,	Wescott,
Ehrgood,	Leonard,	Price,	Wheeler,
Erb,	Leven,	Pursley,	Whitenight,
Ewing,	Limper,	Readinger,	Willaredt,
Filo,	Lopresti,	Reibman,	Williams,
Fineman,	Lovett,	Reidenbach,	Wilt,
Flint,	Lutty,	Renwick,	Yetter,
Floyd,	Magee,	Rigby,	Yetzer,
Flynn,	Mahan,	Rosen,	Young,
Frank,	Maxwell,	Royer,	Andrews,
Frascella,		Rubin,	Speaker

NAYS—21

Ashton,	Gramlich,	Markley,	Stoner,
Banker,	Henzel,	Murray, P. G.,	Toomey,
Brown,	Kooker,	Ogilvie,	Wood,
Davis,	Leisey,	Rovansek,	Worley,
Eshleman,	Light,	Steckel,	Ziegler,
Farabaugh,			

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Ellberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL 1768 MADE A SPECIAL ORDER

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1768, Printer's No. 1025 on page 28 of today's calendar, bills on third reading be made a special order of business immediately.

The motion was agreed to.

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, being House Bill No. 1768, Printer's No. 1025, bill on third reading.

Agreeably to order,

he House proceeded to the third reading and consideration of House Bill No. 1768 entitled:

An Act regulating settlement of labor disputes between public utility employers and their employes and providing the procedure therefor repealing certain acts

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker, will Mr. McWherter, one of the sponsors of this bill, consent to be interrogated?

The SPEAKER. Will the gentleman from Westmoreland consent to be interrogated?

Mr. McWHERTER. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, under the terms of this bill, will it be possible for any governmental agency to prevent a strike by compulsion?

Mr. McWHERTER. It will not, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, is it not a fact that if this bill were passed and if there were a public utility strike such as the Duquesne Light Company in the city of Pittsburgh that all this bill calls for is a waiting period of 60 days?

Mr. McWHERTER. Mr. Speaker, there is a waiting period actually involving 70 days.

Mr. GOLDSTEIN. Seventy days?

Mr. McWHERTER. Seventy days, yes. It is an effort to anticipate and prevent strikes.

Mr. GOLDSTEIN. Mr. Speaker, and if at the end of the 70 day period there were no voluntary extension under the terms of this bill, then either the management would be permitteed to have a lockout or the organized body permitted to have a strike. Is that not true?

Mr. McWHERTER. Mr. Speaker, that is true, subject to any existing laws.

Mr. GOLDSTEIN. Mr. Speaker, is there any existing law today if this bill is passed which would prevent a strike of a gas company or a water company?

Mr. McWHERTER. Mr. Speaker, I cannot think of any specifically, no.

Mr. GOLDSTEIN. Mr. Speaker, does not this act specifically repeal the Act of 1947 which was intended for that purpose?

Mr. McWHERTER. That is my understanding, Mr. Speaker.

Mr. GOLDSTEIN. Does not this act, Mr. Speaker, provide that if any of the companies involved are subject to the jurisdiction of the National Labor Relations Board that this particular act will not have jurisdiction over said company?

Mr. McWHERTER. That is also correct, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, does this not mean if there were a strike affecting the Duquesne Light Company that being under the National Labor Relations Board it would not affect that company ?

Mr. McWHERTER. I believe that that is correct, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, if there were a strike affecting the West Penn Power Company, it would not apply to that company either, is that correct?

Mr. McWHERTER. Assuming that they under the National Labor Relations Act, yes, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, is it not a fact that 98 per cent of the power companies under the present interpretation of the law are under the National Labor Relations Board because of their close contact with interstate commerce?

Mr. McWHERTER. Mr. Speaker, I believe the gentleman is correct.

Mr. GOLDSTEIN. Mr. Speaker, then the effect of this bill would be that only a few isolated water companies serving a minimum of people would be subect to the terms of this act?

Mr. McWHERTER. Mr. Speaker, not isolated. I consider utilities in general as distinguished from light companies in particular.

Mr. GOLDSTEIN. Mr. Speaker, is it not a fact that if the Act of 1947 were to be repealed there would be no effective means of stopping a strike, other than the 70 day period, affecting public health and safety?

Mr. McWHERTER. Mr. Speaker, no effective means other than the cooling-off period and the attempt to iron out disputes prior to their reaching the striking stage.

Mr. GOLDSTEIN. Thnk you, Mr. Speaker.

Mr. Speaker, this bill is intended primarily to repeal the Act of 1947, P. L. 1161, which is designed as an Act to adjust disputes between public utility employers and employes. I believe the Members of this House on both sides would be interestd in the historical background leading to the passage of this legislation.

We in the city of Pittsburgh in 1946 were confronted by a strike, and I will say frankly a strike which I believe responsible labor leaders were against. As a result of that strike, which was the Duquesne Light Company strike, the city of Pittsburgh almost faced disaster. I have before me a photostatic copy of the bill in equity which was filed on behalf of the city of Pittsburgh in which all of the cabinet members who were responsible for the enforcement of law joined, which petition was filed by Anne X. Alpern, now a learned member of the Court of Common Pleas of Allegheny County.

The city of Pittsburgh, acting under direction undoubtedly of its mayor, presented before the court the disaster which would face this city. Here is what representations were made, and acting upon the representations an injunction was granted under common law. The city of Pittsburgh said:

> The strike will endanger the lives, health, safety and being of our citizens.
>
> It will paralyze the governmental, industrial, commercial and civic life of this entire area.
>
> It will result in tremendous and irremediable hardship.
>
> It will cut off the supply of water. Six of the nine water pumping stations of the City of Pittsburgh will be rendered useless and there will be no reliable supply of water within twenty-four to forty-eight hours after the strike takes affect.
>
> It will cause the spread of disease through lack of water for sanitation purposes.
>
> It will cause great danger through lack of water for fire-fighting purposes.
>
> It will cut off the supply and distribution of food because of the necessary closing of stores and interference with transportation facilities.

The city administration in 1946 realized that it had to resort to the court in order to save the people's interest. This legislation will place the city of Pittsburgh and other communities at the mercy of a dispute between management and labor, and I am afraid also, if we pass this legislation the courts may say, the Legislature having spoken on the matter, the courts have no jurisdiction, because there is a principle of law which says that where there is an adequate remedy at law and the legislature has spoken upon it that is the only method. So if this particular legislation is passed I am very doubtful

whether the court of common pleas could even exercise common law jurisdiction.

In closing I would merely like to say this, and quote from a man who I am certain was always considered a good friend of labor. I will read you the quote and I shall tell you who the man was, here is the quote:

> "Because I have come to the conclusion that both the common law of a State and a statute of the United States (referring to the Clayton Act) declare the right of industrial combatants to push their struggle to the limits of justification of self-interest. I do not wish to be understood as attacking any constitutional or moral sanction to that right. All rights are derived from the purposes of the society in which they exist; above all rights rise duty to the community. The conditions developed in industry may be such that those engaged in it cannot continue their struggle without danger to the community. But it is not for judges to determine whether such conditions exist, nor is it their function to set the limits of permissible contest and to declare the duties which the new situation demands. This is the function of the legislature which, while limiting individuals and group rights of aggression and defense may substitute processes of justice for the more primitive method of trial by combat."

These were the words of the late Justice Lewis D. Branders, and I am certain he was no opponent of labor.

We have on the statute books today the Act of 1947 which regulates and prohibts strikes. It sets forth a detailed method whereby these strikes can be prevented and the final power in many instances is the Governor of the state of Pennsylvania. From the decision of the Board named by him there is appeal to the Supreme Court of this state.

Do not labor and management have confidence in the Governor of Pennsylvania and the Supreme Court of this state? We say there should be no contest between management and labor where the public right is involved. The public safety and the public interest is superior, in fact, it is supreme where we have a utility strike in water, gas or light companies, and I respectfully ask everybody to give serious consideration to this bill and vote against it.

Mrs. REIBMAN. Mr. Speaker, I rise to make a brief statement in behalf of this bill.

This bill in my judgment gives ample safeguards to the public interest. In the first place, before a labor agreement is to terminate, 60 days before this agreement is to terminate, machinery is set up under this bill to provide for both labor and management to take advantage of governmental mediation services. If within these 60 days no agreement can be reached between the two parties disputing the hours or wages of a labor contract, then the Governor can call upon a three member panel. One member is to represent the public, one member is to represent labor and one member is to represent management, and these three people are to sit down with the disputants in this particular strike or an impending strike, and try to iron out their differences.

So now you have more than a cooling off period, you have the concerted effort of both labor and management and the public interest all working together to peacefully settle a labor dispute.

It seems to me that the only economic weapon at labor's command is, of course, a strike and the purpose of this bill is to try to curb it so that labor and management can get together on a new wage and hour contract. It seems to me it is in the interest of labor as well in the interest of management to peacefully settle labor disputes and under this bill there are 70 days provided before the termination even of a contract to permit the public interest to be amply safeguarded.

May I say that this bill is modeled pretty much after the National Railway Mediation bill which has been on the statute books of the United States government I think for at least 20 years. It has worked well, it has worked well in the interest of labor, in the interest of management and in the interest of the public.

In addition to the machinery set up under this bill, may I add that this three man commission representing labor, management and the public also has the power to hold public hearings on the matter of an impending strike, so that full publicity is given to both sides of the question. It seems to me that the forum of public opinion is sufficient to guarantee that strikes will either be prohibited, or that under the machinery set up in this bill labor disputes can certainly be settled peacefully before they even occur.

Mr. TOLL. Mr. Speaker, will the gentleman from Pittsburgh, Mr. Goldstein, permit himself to be interrogated?

Mr. GOLDSTEIN. I shall, Mr. Speaker.

Mr. TOLL. Mr. Speaker, does the gentleman from Allegheny agree that the Act of 1947 affects only strikes which are completely internal as far as Pennsylvania is concerned and do not involve interstate commerce?

Mr. GOLDSTEIN. Mr. Speaker, I think the gentleman from Philadelphia is referring to the Wisconsin case which is a four to three decision.

What the Supreme Court of the United States would do with relation to a case at the present time I do not know. I believe that case was decided upon the basis that the National Labor Relations Act having spoken upon a certain matter, a state law was superseded. I do not agree with the general interpretation that Mr. Toll may draw. I believe that the police powers of the state are superior and that interstate matters could be regulated where the life, safety and health of our citizens are involved.

Mr. TOLL. Thank you. You anticipated my argument, but I want to make it anyhow.

I want to call the attention of the House to a debate which we had in the 1951 session when former Representative Bolton tried to amend the Act of 1947 to include transportation, if some of you remember it.

At that time we had as an example that very Wisconsin case which had been decided by the Supreme Court. I would say that a four to three vote is as good as a nine to nothing vote or seven to nothing vote. Four to three is the law of the land and that is why we have odd numbers, and whether you agree with it or not it is the law under which we operate.

In that Wisconsin case they said the state of Wisconsin cannot regulate by a law similar to the Act of 1947 in a case where interstate commerce is involved, that is a matter for the National Labor Relations Act. Frankly, therefore, the Act of 1947 is worth nothing and applies only to strikes that are completely confined within the state of Pennsylvania. The bill which was originally introduced, which was sponsored by Representative Welsh,

Representative Leven and myself, No. 1236, was the one we were shooting at to get it off the books, repeal it, it was no good anyhow. However, the Majority Leader and others thought that they would draw this new bill, No. 1768, which I admit is an improvement and at least gives the people an opportunity to sit down and try to settle an item which is completely confined to Pennsylvania.

What kind of an argument is that, the fact that the police power of the state is such that you can overrule an order of the Supreme Court of United States. It seems to me you would be glad to go along with this 1768, it is an improvement over what Mr. Welsh and I had in mind and I hope you will vote for it.

Mr. GOLDSTEIN. As to the legality of the dispute between Mr. Toll and myself, I will not go into that because every lawsuit is determined upon its own particular situation. Whether or not the Supreme Court would say a strike affecting the West Penn Power Company or Duquesne Light would be under the National Labor Relations Board, he doesn't know and I don't know.

I want to call the particular attention of the Members of this particular Act of 1947. The addition is only sugar to this, that the primary purpose of this bill is the repeal coating.

The real issue is this, are we going to permit a cessation of the operation of a water company, or a light company, or a power company, where there is no alternative method of furnishing these items to the people? The Railway Mediation Act, which has a cooling-off period, allows a strike thereafter, but although it may inconvenience the public there are alternate methods of transportation such as trucks, wagons, or even by foot. When the power and water of a community are cut off, there is no alternative to the maintenance of life. And I say this, because I feel it is in the public interest and also in the interest of responsible labor leadership, legislation of this character is not taking away the economic weapon to which they are entitled because the economic weapon of management and labor is subordinate to the people's interest and well-being.

I still believe this legislation is not in the public interest.

Mrs. REIBMAN. Mr. Speaker, may I interrogate Mr. Goldstein?

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GOLDSTEIN. I shall, Mr. Speaker.

Mrs. REIBMAN. Thank You, Mr. Speaker.

Mr. Speaker, under the Constitution of Pennsylvania under the police powers in the event of a situation which you describe where a water company, for example, would go on strike and it would endanger the life and health of the citizens of a community, would not the Governor then have the right under police and health powers to step in?

Mr. GOLDSTEIN. Yes, Mr. Speaker. It is my belief offhand that in order to maintain the life and well-being of the community that the Governor could declare martial law or do something which would give him power under his general rights. But I submit that the Act of 1947 has spelled into law a detailed, orderly procedure whereby the Governor would not have to grasp at straws and whereby the rights of management and labor are very well protected. This is an act running into nine or ten pages with a detailed procedure, with the Governor appointing the reviewing body and with the decision of the reviewing body as to wages and labor conditions being subject to appeal to the Supreme Court of Pennsylvania. Therefore, it is my earnest and sincere opinion it is better to rely upon an orderly procedure detailed by an act of the Legislature than to rely upon the residual powers of the Governor of Pennsylvania to declare martial law.

Mrs. REIBMAN. Mr. Speaker, I thank the gentleman for his answer particularly in the affirmative on the question that I posed to him.

This bill does preserve the right of labor to strike if necessary, but it sets up machinery whereby it would not be so necessary to strike, whereas the Act of 1947 prohibits altogether to labor the right to strike. In many public utility cases it is not always a matter of public interest that the utility continue.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—89

Adam,	Gaffney,	McCormack,	Scarcelli
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Barnatovich,	Hamilton, R. K.,	McWherter,	Smith, C. C.,
Bazin,	Hass,	Meholchick,	Smith, Wm. B.,
Branca,	Heavey,	Mikula,	Snider,
Brennan, A. P.,	Hocker,	Monroe,	Stank,
Bucchin,	Holt,	Moran,	Stebbins,
Capano,	Johnson,	Mullen,	Steckel,
Cianfrani,	Jones, G. E.,	Munley,	Stephens,
Cioffi,	Kamyk,	Murphy,	Swartz,
Comer,	Kubacki,	Musto,	Taylor,
Curwood,	Lawyer,	Needham,	Thomas,
Dougherty,	Leiby,	Pacchioli,	Wallace,
Farabaugh,	Leonard,	Paulhamus,	Walsh,
Filo,	Leven,	Petrosky,	Wargo,
Fineman,	Limper,	Pettigrew,	Welsh,
Flint,	Lopresti,	Polaski,	Williams,
Floyd,	Lovett,	Polen,	Worley,
Flynn,	Lutty,	Reidenbach,	Yetzer,
Frank,	Markley,	Rosen,	Ziegler,
Frascella,	McCann,	Rubin,	Andrews,
		Sarraf,	Speaker

NAYS—53

Ashton,	Guss,	Magee,	Rovansek,
Auker,	Haudenshield,	Mahan,	Stevenson,
Banker,	Henzel,	Moscrip	Stoner,
Brown,	Horst,	Murray, H. P.,	Strausser,
Bullen,	Houk,	Murray, P. G.,	Stroup
Connelly,	Isaacs,	Naugle,	Thompson,
Davis,	Jump,	Ogilvie,	Toll,
Donahue,	Kent,	Parry,	Toomey,
Erb,	Kolankiewicz,	Price,	Varner,
Eshleman,	Kooker,	Pursley,	Wescott,
Ewing,	Kromer,	Readinger,	Willaredt,
Goldstein,	Leisey,	Reibman,	Wood,
Gramlich,	Light,	Rigby,	

NOT VOTING—68

Agnew,	Ellberg,	Kornick,	Renwick,
Amarando,	Foster,	Kratz,	Royer,
Bell,	Frost,	Lafore,	Rudisill,
Blair,	George,	Lippincott,	Schuster,
Boles,	Gibb,	Maxwell,	Spencer,
Bonner,	Gibson,	McInroy	Stone,
Boory,	Greenwood,	McKeever,	Tompkins,
Bower,	Guthrie,	Metz,	Varallo,
Breisch,	Hamilton, W. H.,	Mihm,	Vaughan,
Brennan, J. J.,	Helm,	Miller,	Verona,
Brenninger,	Hewitt,	Mills,	Wall,
Breth,	Jenkins,	Moody,	Waterhouse,
Cochran,	Jones, T. H. W.,	Muldowney,	Weidner,
Cooper,	Kehler,	Murray, J. J.,	Wheeler,

Donaldson,	Keller,	Olsen,	Whitenight,
Down,	Kline,	O'Neil,	Wilt,
Ehrgood,	Knecht,	Pashley	Yetter,
		Pomeroy,	Young,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

STATEMENT BY THE SPEAKER

The SPEAKER. The Chair observed during the calling of the roll that various Members sat in their seats and made no response whatsoever. Of course, they are not included in the roll call. The Chair will not permit the desk to interpret the minds of the Members who do not respond.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1507 as follows:

An Act amending revising clarifying and changing the act of April 6, 1953 (P. L. 3) entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them including sales commercial paper bank deposits and collections documentary letters of credit bulk transfers warehouse receipts bills of lading other documents of title investment securities and secured transactions including certain sales of accounts chattel paper and contract rights providing for public notice to third parties in certain circumstances regulating procedure evidence and damages in certain court actions involving such transactions contracts or documents and to make uniform the law with respect thereto"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The hereinafter designated sections and parts of sections of the act of April 6, 1953 (P. L. 3) known as the "Uniform Commercial Code" are amended or added to read

Article 1

Subsection (3) of Section 1-102

(3) [In construing and applying this Act to effect its purposes the following rules shall apply] The effect of provisions of this Act may be varied by agreement except as otherwise provided in this Act and except that

(a) Definitions and formal requirements such as those determining what constitutes a negotiable instrument a bona fide purchaser a holder in due course or due negotiation of documents of title are not subject to variation by agreement

(b) [Except as otherwise provided by this Act the] The rights and duties of a third party may not be adversely varied by an agreement to which he is not a party or by which he is not otherwise bound except as otherwise provided in this Act and

(c) The [general] obligations of good faith diligence reasonableness and care prescribed by this Act [such as good faith due diligence commercial reasonableness and reasonable care] may not be disclaimed by agreement but the parties may by agreement determine the standards by which the performance of such obligations is to be measured if such standards are not manifestly unreasonable

[(d) Provisions of this Act which are qualified by the words "unless otherwise agreed" or words of similar import may be waived or modified by agreement and the absence of such words contains no negative implication

(e) Subject to the foregoing subsections and except as otherwise specifically provided in this Act the effect of provisions of this Act may be varied by agreement

(f)] (4) The presence in certain provisions of this Act of the words "unless otherwise agreed" or words of similar import does not imply that the effect of other provisions may not be varied by agreement under subsection (3)

(5) The Comments of the National Conference of Commissioners on Uniform State Laws and the American Law Institute may be consulted in the construction and application of this Act but if text and comment conflict text controls

[(g)] (6) Prior drafts of text and comments may not be used to ascertain legislative intent

Subsection (4) of Section 1-105

(4) The Article on Investment Securities (Article 8) applies whenever any contract or transaction within its terms is made or occurs after the effective date of this Act and the contract

(a) is made offered or accepted or the transaction occurs within this state or

(b) is to be performed or completed wholly or in part within this state or

(c) involves a security issued or transferred within this state But the validity of a [corporate security shall be] security and the rights and duties of the isuer with respect to registration of transfer are governed by the law of the jurisdiction of [incorporation] organization of the issuer

Definitions (12) and (37) of Section 1-201

(12) "Creditor" [means an unsecured creditor and] includes a general creditor a secured creditor a lien creditor and any representative of creditors including an assignee for the benefit of creditors a trustee in bankruptcy a receiver in equity and an executor or administrator of an insolvent debtor's or assignor's estate

* * *

(37) "Security interest" means an interest in [property] personality or fixtures which secures payment or performance of an obligation The reservation of title by a seller [or consignor of property] notwithstanding identification of goods to a contract for sale or notwithstanding shipment or delivery is a "security interest" Unless a lease or consignment is intended as security reservation of title thereunder is not a "security interest" but a consignment is in any event subject to the provisions of Section 2-326 (2) The term also includes [the] any interest of a [financing] buyer of accounts chattel paper or contract rights which is subject to Article 9

Article 2

Section 2-102

Section 2-102 Scope Certain Security and Other Transactions Excluded From This Article [This Article] Unless the context otherwise requires this Article applies to transactions in goods it does not apply to any transaction which although in the form of an unconditional contract to sell or present sale is intended to operate only as a security transaction nor does this Article impair or repeal any statute regulating sales to consumers farmers or other specified classes of buyers

The Caption and Subsection (1) of Section 2-106

Section 2-106 Definitions "Contract" "Contract for Sale" "Agreement" "Sale" "Present Sale" "Conforming" to Contract "Termination" "Cancellation" (1) ["Contract] In this Article unless the context otherwise requires "contract" means "contract for sale" and includes both a present sale of goods and a contract to sell goods at a future time and "agreement" means agreement for the present or future sale of goods A "sale" consists in the passing of title from the seller to the buyer for a price (Section 2-401) A "present sale" means a sale which is accomplished by the making of the contract

Section 2-207

Section 2-207 Additional Terms in Acceptance or Confirmation (1) [A definite and seasonable expression of acceptance or a written confirmation which is sent within

a reasonable time operates as an acceptance even though it states terms additional to or different from those offered or agreed upon

(2) The additional terms are to be construed as proposals for addition to the contract and between merchants become part of the contract unless they materially alter it or notification of objection to them has already been given or is given within a reasonable time] A definite and seasonable expression of acceptance or a written confirmation which is sent within a reasonable time operates as an acceptance even though it states terms additional to or different from those offered or agreed upon unless acceptance is expressly made conditional on assent to the additional or different terms

(2) The additional terms are to be construed as proposals for addition to the contract Between merchants such terms become part of the contract unless

(a) the offer expressly limits acceptance to the terms of the offer

(b) they materially alter it or

(c) notification of objection to them has already been given or is given within a reasonable time after notice of them is received

(3) Conduct by both parties which recognizes the existence of a contract is sufficient to establish a contract for sale although the writings of the parties do not otherwise establish a contract In such case the terms of the particular contract consist of those terms on which the writings of the parties agree together with any supplementary terms incorporated under any other provisions of this Act

The Caption and Subsections (2) and (4) of Section 2-209

Section 2-209 Modification Rescission and Waiver * * *

(2) A signed agreement which excludes modification or rescission except by a signed writing cannot be otherwise modified or rescinded but except as between merchants such a requirement on a form supplied by the merchant must be separately signed by the other party.

* * *

(4) Although an attempt at modification or rescission does not satisfy the requirements of subsection (2) or (3) it can operate as a waiver

Section 2-302

Section 2-302 Unconscionable Contract or Clause (1) If the court as a matter of law finds the contract or any clause of the contract to [be] have been unconscionable [it] at the time it was made the court may refuse to enforce the contract or may strike any unconscionable clauses and enforce the contract as if the stricken clause had never existed

(2) When it is claimed or appears to the court that the contract or any clause thereof may be unconscionable [the court may afford] the parties [an] shall be afforded a reasonable opportunity to present evidence as to its commercial setting purpose and effect to aid the court in making the determination

The Caption Subsection (1) and New Subsection (3)

of Section 2-312

Section 2-312 Warranty of Title and Against Infringement Buyer's Obligation Against Infringement (1) Unless otherwise agreed there is in a contract for sale a warranty by the seller that

(a) the title conveyed shall be good and its transfer rightful and

(b) the goods shall be delivered free from any security interest or other lien or encumbrance of which the buyer at the time of contracting has no knowledge [and also free from any rightful claim of any third person by way of infringement or otherwise unless the circumstances at the time of contracting place the risk of such claim upon the buyer]

* * *

(3) Unless otherwise agreed a seller who is a merchant regularly dealing in goods of the kind warrants that the goods shall be delivered free of the rightful claim of any third person by way of infringement or the like but a buyer who furnishes specifications to the seller must hold the seller harmless against any such claim which arises out of compliance with the specifications

Section 2-316

Section 2-316 Exclusion or Modification of Warranties (1) If the agreement creates an express warranty words disclaiming it are inoperative

(2) [Exclusion or modification of the implied warranty of merchantability or of fitness for a particular purpose must be in specific language and if the inclusion of such language creates an ambiguity in the contract as a whole it shall be resolved against the seller except that] Subject to subsection (3) to exclude or modify the implied warranty of merchantability or any part of it the language must mention merchantability and in case of a writing must be conspicuous and to exclude or modify any implied warranty of fitness the exclusion must be by a writing and conspicuous Language to exclude all implied warranties of fitness is sufficient if it states for example that "There are no warranties which extend beyond the description on the face hereof"

(3) Notwithstanding subsection (2)

(a) all implied warranties are excluded by expressions like "as is" "as they stand" "with all faults" or other language which is common understanding calls the buyer's attention to the exclusion of warrants and makes plain that there is no implied warranty and

(b) when the buyer has examined the goods or the sample or model as fully as he desired or has refused to examine the goods there is no implied warranty with regard to defects which an examination ought in the circumstances to have revealed to him and

(c) an implied warranty can also be excluded or modified by course of dealing or course or performance or usage of trade

[(3)] (4) Remedies for breach of warranty can be limited in accordance with the provisions of this Article on liquidation or limitation of damages and on contractual modification of remedy (Sections 2-718 and 2-719)

Subsection (1) of Section 2-323

(1) Where the contract contemplates overseas shipment and contains a term C I F or C & F or F O B vessel the seller unless otherwise agreed must obtain a negotiable bill of lading stating that the goods have been loaded on board or in the case of a term C I F or C & F received for shipment

Addition of New Subsection (3) to Section 2-501

(3) Nothing in this section impairs any insurable interest recognized under any other statute or rule of law

The Caption Subsection (3) and New Subsection (4) (5) and (6) of Section 2-607

Section 2-607 Effect of Acceptance Notice of Breach Burden of Establishing Breach After Acceptance Notice of Claim or Litigation to Person Answerable Over * * *

(3) [When a non-conforming] Where a tender has been accepted

(a) the buyer must within a reasonable time after he discovers or should have discovered [the] any breach notify the seller of breach or be barred from any remedy and

(b) if the claim is one for infringement or the like (subsection (3) of Section 2-312) and the buyer is sued as a result of such a breach he must notify the seller of the litigation wthin a reasonable time after he receives notice of the litigation or be barred from any remedy over for a liability established by the litigation

(4) The burden is on the buyer to establish any breach with respect to the goods accepted

(5) Where the buyer receives notice that he is being sued for breach of a warranty or other obligation for which his seller is answerable over

(a) he may give his seller written notice of the litigation If the notice states that the seller may come in and defend and that if the seller does not do so he will be bound in any action against him by his buyer by any determination of fact common to the two litigations then unless the seller after seasonable receipt of the notice does come in and defend he is so bound

(b) if the claim is one for infringement or the like (subsection (3) of Section 2-312) the original seller may demand in writing that his buyer turn over to him control of the litigation including settlement or else be barred from any remedy over and if he also agrees to bear all expense and to satisfy any adverse judgment then unless the buyer after seasonable receipt of the demand does turn over control the buyer is so barred

(6) The provisions of subsection (3) (4) and (5) apply to any obligation of a buyer to hold the seller harmless against infringement or the like (subsection (3) (b) of section 2-312

Section 2-610

Section 2-610 Anticipatory Repudiation When either party repudiates the contract with respect to a performance the loss of which will substantially impair the value of the contract to the other the aggrieved party may

(a) resort to any remedy for breach (Sections 2-703 2-711 or

(b) for a commercially reasonable time await performance by the repudiating party or negotiate for retraction the repudiating party meanwhile being free to retract as provided and limited by the next section and

(c) in either case suspend his own performance

Section 2-615

Section 2-615 Excuse by Failure of Presupposed Conditions Except so far as a seller may have assumed a greater obligation and subject to the preceding section on substituted performance

(a) Delay in delivery or non-delivery in whole or in part by a seller who complies with paragraph (b) and (c) is not a breach of his duty under a contract for sale if performance as agreed has been made impracticable by the occurence of a contingency the non-occurrence of which was a basic assumption on which the contract was made or by compliance in good faith with any applicable foreign or domestic governmental regulation or order whether or not it later proves to be invalid

(b) Where the causes mentioned in paragraph (a) affect only a part of the seller's capacity to perfrom he must allocate production and deliveries among his customers but may at his option include regular customers not then under contract as well as his own requirements for further manufacture He may so allocate in any manner which is fair and reasonable

(c) The seller must notify the buyer seasonably that there will be delay or non-delivery and when allocation is required under paragraph (b) of the estimated quota thus made available for the buyer

Section 2-704

Section 2-704 Seller's Right to Identfy Goods to the Contract Nothwithstanding Breach or to Salvage Unfinished Goods (1) An aggrieved seller under the preceding section may

(a) identify to the contract conforming goods not already identified if at the time he learned of the breach they are in his possession or control

[If the goods were then in process of procurement or manufacture he may complete the process and identify them to the contract unless in reasonable commercial judgment the completion will materially increase the damages]

(b) treat as the subject of resale goods which have demonstrably been intended for the particular contract even though those goods are unfinished

(2) Where the goods are unfinished an aggrieved seller may in the exercise of reasonable commercial judgment for the purposes of avoiding loss and of effective realization either complete the manufacture and resell for scrap or salvage value or proceed in any other ture and wholly identify the goods to the contract or cease manufac- reasonable manner

Section 2-708

Section 2-708 Seller's Damages for Non-Acceptance or Repudiation [The] Unless a lesser measure is agreed the measure of damages for non-acceptance or repudiation is the difference between the price current at the time and place for tender and the unpaid contract price together with any incidental damages provided in this Article (Section 2-710) but less any expense saved in consequence of the buyer's breach except that if the foregoing measure of damages is inadequate to put the seller in as good a position as performance would have done then the measure of damages is the profit (including reasonable overhead) which the seller would have made from full performance by the buyer with due allowance for costs reasonably incurred and due credit for any resale

Article 3

Subsection (3) of Section 3-102

(3) The following definitions in other Articles apply to this Article

"Account" Section 4-104
"Banking Day" Section 4-104
"Cyearing house" Section 4-104
"Collecting bank" Section 4-105
"Customer" Section 4-104
"Depositary Bank" Section 4-105
"Documentary Draft" Section 4-104
"Intermediary Bank" Section 4-105
"Item" Section 4-104
"Midnight deadline" Section 4-104
"Payor bank" Section 4-105

Section 3-112

Section 3-112 Terms and Omissions Not Affecting Negotiability (1) The negotiability of an instrument is not affected by

(a) the omission of a statement of any consideration or of the place where the instrument is drawn or payable or

(b) a statement that collateral has been given for the instrument or in case of default on the instrument the collateral may be sold or

(c) a promise or power to maintain or protect collateral or to give additional collateral [on demand] or

(d) a term authorizing a confession of judgment on the instrument if it is not paid when due or

(e) a term purporting to waive the benefit of any law intended for the advantage or protection of any obligor or

(f) a term in a draft providing that the payee by indorsing or cashing it acknowledges full satisfaction of an obligation of the drawer

(2) Nothing in this section shall validate any term which is otherwise illegal

Section 3-118

Section 3-118 Ambiguous Terms and Rules of Construction The following rules apply to every instrument

(a) Where there is doubt whether the instrument is a draft or a note the holder may treat it as either A draft drawn on the drawer is effective as a note

(b) Handwritten terms control typewritten and printed terms and typewritten control printed

(c) Words control figures except that if the words are ambiguous figures control

(d) Unless otherwise specified a provision for interest means interest at the judgment rate at the place of payment from the date of the instrument or if it is undated from the date of issue

(e) Unless the instrument otherwise specifies two or more persons who sign as maker acceptor or drawer or indorser and as a part of the same transaction are jointly and severally liable even though the instrument contains such words as "I promise to pay"

(f) [Notwithstanding any term of the instrument the holder may extend it only with the consent of the maker at the time of extension] Unless otherwise specified consent to extension authorizes a single extension for not longer than the original period

Section 3-204

Section 3-204 Special Indorsement Blank Indorsement (1) A special indorsement specifies the person to whom or to whose order it makes the instrument payable Any instrument specially indorsed becomes payable to the

order of the special indorsee and may be further negotiated only by his indorsement

(2) An indorsement in blank specifies no particular indorsee and may consist of a mere signature An instrument payable to order and indorsed in blank becomes payable to bearer and may be negotiated by delivery alone until specially indorsed or indorsed for collection (Section 3-206)

(3) The holder may convert a blank indorsement into a special indorsement by writing over the signature of the indorser in blank any contract consistent with the character of the indorsement

Section 3-205

Section 3-05 Conditional Indorsement Probititing Transfer Neither a conditional indorsement nor one purporting to prohibit further transfer of the instrument prevents its further transfer or negotiation and the transferee may enforce payment in disregard of the limitation but except for an intermediary bank and a payor bank which is not a depositary bank the indorsee and any [other] subsequent transferee [except a collecting or payor bank] takes the instrument or its proceeds subject to any rights of the indorser

Section 3-206

Section 3-206 Indorsement "For Collection" "For Deposit" to Agent or in Trust "Restrictive Indorsements" (1) When an indorsement whether blank or special states that it is "for collection" "for deposit" or otherwise for the benefit or account or use of the indorser or of another person

(a) [the first taker under that indorsement] any subsequent party except either an intermediary bank or a payor bank which is not a depositary bank must apply any value given by him for on the security of the instrument [in the manner and to the person or account directed by] consistently with the indorsement

(b) to the extent that [the] a purchaser does so he becomes a holder for value

[(c) later holders for value are not affected by the direction contained in the indorsement unless they have reasonable grounds to believe that a fidicuary has negotiated the instrument in breach of duty (subsection (2) (b) of Section 3-304]

(2) In this Act 'restrictive indorsement" means a conditional indorsement or one purporting to prohibit further transfer of the instrument (3-205) or one which whether blank or special states that it is "for collection" "for deposit" or otherwise for the benefit or account or use of the indorser or of another person

Subsection (1) of Section 3-302

(1) A holder in due course is a holder who takes the instrument

(a) for value and

(b) in good faith [including observance of the reasonable commercial standards of any business in which the holder may be engaged] and

(c) without notice that it is overdue or has been dishonored or of any defense against or claim to it on the part of any person

Section 3-304

Section 3-304 Notice to Purchaser (1) The purchaser has notice of a claim or defense if

(a) the instrument is so incomplete bears such visible evidence of forgery or alteration or is otherwise so irregular as to call into question its validity terms or ownership or to create an ambiguity as to the party to pay or

(b) the purchaser has notice that the obligation of any party is voidable in whole or in part or that all parties have been discharged

(2) The purchaser has notice of a claim against the instrument when he has reasonable grounds to believe

[(a) that the transfer to him is a preference voidable under the law of bankruptcy or insolvency

(b)] that a fiduciary has negotiated the instrument in payment of or as security for his own debt or in any transaction for his own benefit or otherwise in breach of duty

(3) [Except as provided with respect to conditional trust or collection indorsements in the course of bank collections (Sections 4-203 and 4-205) the purchaser also has notice of a claim against the instrument if it has previously been indrosed conditionally or in such manner as to prohibit further negotiation and such indorsement has not been cancelled] The purchaser except an intermediary bank also has notice of a claim against the instrument if it has previously been restrictively indorsed

(4) The purchaser has notice that an instrument is overdue if he has reasonable grounds to believe

(a) that any part of the principal amount is overdue or that there is an uncured default in payment of another instrument of the same series or

(b) that acceleration of the instrument has been made or

(c) that he is taking a demand instrument after demand has been made or more than a reasonable length of time after its issue A reasonable time for a check drawn and payable within the states and territories of the United States and the District of Columbia is presumed to be thirty days

(5) Knowledge of the following facts does not of itself give the purchaser notice of a defense or claim

(a) that the instrument is antedated or postdated

(b) that it was issued or negotiated in return for an executory promise or accompanied by a separate agreement unless the purchaser has notice that a defense or claim has arisen from the terms thereof

(c) that any party has signed for accommodation

(d) that an incomplete instrument has been completed unless the purchaser has notice of any improper completion

(e) except as otherwise provided with respect to restrictive indorsements that any person negotiating the instrument is or was a fiduciary

(f) that there has been default in payment of interest on the instrument or in payment of any other instrument except one of the same series

(6) The filing or recording of a document does not of itself constitute notice within the provisions of this Article to a person who would otherwise be a holder in due course

(7) To be effective notice must be received at such time and in such manner as to give a reasonable opportunity to act on it

Section 3-406

Section 3-406 Neglicence Contributing to Alteration or Unauthorized Signature Any person who by his negligence substantially contributes to a material alteration of the instrument or to the making of an unauthorized signature is precluded from asserting the alteration or lack of authority against a holder in due course or against a drawee or other payor who pays the instrument in good faith [and in accordance with the reasonable commercial standards of the drawee's or payor's business]

Section 3-417

Section 3-417 Warranties on Presentment and Transfer (1) [Unless otherwise agreed any person who obtains payment or acceptance and any prior transferor warrants to a party who pays or accepts in good faith

(a) that he has a good title to the instrument or is authorized to obtain payment or acceptance on behalf of one who has a good title and

(b) that he has no knowledge of any effective direction to stop payment and

(c) that the instrument has not been materially altered and that he has no knowledge that the signature of the maker or drawer is unauthorized except that such warranties are not given by a holder in due course who has taken a draft drawn on and accepted by a bank after such alteration or signature or by a holder in due course of a note This exception applies even though a draft has been accepted "payable as originally drawn" or in equivalent terms

(2) Unless otherwise agreed any party who transfers

an instrument for consideration warrants to his transferee and if the transfer is by indorsement to any subsequent holder who takes the instrument in good faith that

(a) all signatures are genuine or authorized and

(b) the instrument has not been materially altered and

(c) the transfer is rightful and]

Unless otherwise agreed any person who obtains payment or acceptance and any prior transferor warrants to a person who in good faith pays or accepts that

(a) he has a good title to the instrument or is authorized to obtain payment or acceptance on behalf of one who has a good title and

(b) he has no knowledge that the signature of the maker or drawer is unauthorized except that this warranty is not given by a holder in due course acting in good faith (i) to a maker with respect to the maker's own signature or (ii) to a drawer with respect to the drawer's own signature whether or not the drawer is also the drawee or (iii) to an acceptor of a draft if the holder in due course took the draft after the acceptance or obtained the acceptance without knowledge that the drawer's signature was unauthorized and

(c) the instrument has not been materially altered except that this warranty is not given by a holder in due course acting in good faith (i) to the maker of a note or (ii) to the drawer of a draft whether or not the drawer is also the drawee or (iii) to the acceptor of a draft with respect to an alteration made prior to the acceptance if the holder in due course took the draft after the acceptance even though the acceptance provided "payable as originally drawn" or equivalent terms or (iv) to the acceptor of a draft with respect to an alteration made after the acceptance

(2) Unless otherwise agreed any aperson who transfers an instrument and receives consideration warrants to his transferee and if the transfer is by indorsement to any subsequent holder who takes the instrument in good faith that

(a) he has a good title to the instrument or is authorized to obtain payment or acceptance on behalf of one who has a good title and the transfer is otherwise rightful and

(b) all signatures are genuine or authorized and

(c) the instrument has not been materially altered and

(d) no defense of any party is good against him and

(e) he has no knowledge of any insolvency proceeding instituted with respect to the maker or acceptor or the drawer of an unaccepted instrument

(3) By transferring "without recourse" the transferor limits the obligation stated in subsection (2) (d) to a warranty that he has no knowledge of such a defense

(4) A selling agent or broker who does not disclose the fact that he is acting only as such gives the warranties provided in this section but if he makes such disclosure warrants only his good faith and authority

Section 3-419

Section 3-419 Conversion of Instrument Innocent Representative (1) An instrument is converted when

(a) a drawee to whom it is delivered for acceptance refuses to return it on demand or

(b) any person to whom it is delivered for payment refuses on demand either to pay or to return it or

(c) it is paid on a forged indorsement

(2) In an action against a drawee under subsection (1) the measure of the drawee's liability is the face amount of the instrument In any other action under subsection (1) the measure of liability is presumed to be the face amount of the instrument

(3) [A] Subject to the provisions of this Act concerning restrictive indorsements a representative including a depositary or collecting bank who has in good faith and in accordance with the reasonable commercial standards applicable to the business of such representative dealt with an instrument or its proceeds on behalf of one who was not the true owner is not liable in conversion or otherwise to the true owner beyond the amount of any proceeds remaining in his hands

(4) An intermediary bank or payor bank which is not a depositary bank is not liable in conversion solely by reason of the fact that proceeds of an item indorsed restrictively (Section 3-205 and 3-206) are not applied consistently with the restrictive indorsement of an indorser other than its immediate transferor

Section 3-501

Section 3-501 When Presentment Notice of Dishonor and Protest Necessary or Permissible (1) Unless excused (Section 3-511) presentment is necessary to charge secondary parties as follows

(a) presentment for acceptance is necessary to charge the drawer and indorsers of a draft where the draft so provides or is payable elsewhere than at the residence or place of business of the drawee or its date of payment dpends upon such presentment The holder may at his option present for acceptance any other draft payable at a stated date

(b) presentment for payment is necessary to charge any indorser

(c) in the case of any drawer the acceptor of a draft made payable at a bank or the maker of a note payable to a bank presentment for payment is necessary but failure to make presentment discharges such drawer acceptor or maker only as stated in Section 3-502 (1) (b)

(2) Unless excused (Section 3-511)

(a) notice of any dishonor is necessary to charge any indorser

(b) in the case of any drawer the acceptor of a draft made payable at a bank or the maker of a note payable at a bank notice of any dishonor is necessary but failure to give such notice discharges such drawer acceptor or maker only as stated in Section 3-502 (1) (b)

(3) Unless excused (Section 3-511) protest of any dishonor is necessary to charge the drawer and indorsers of any draft which on its face appears to be drawn or payable outside of the states and territories of the United States and the District of Columbia The holder may at his option make protest of any dishonor of any other instrument and in the case of a foreign draft may on insolvency of the acceptor before maturity make protest for better security

(4) Notwithstanding any provision of this section neither presentment nor notice of dishonor nor protest is necessary to charge an indorser who has indorsed an instrument after maturity

Subsection (2) of Section 3-508

(2) Any necessary notice [is due from] must be given by a bank before its midnight deadline and [from] by any other person before midnight of the third business day after dishonor or recept of notice of dishonor

Subsection (5) of Section 3-511

(3) A waiver of protest is also a waiver of presentment and of notice of dishonor even though protest is not required Where the waiver is embodied in the instrument itself it is binding upon all parties but where it is written above the signature of an indorser it binds him only

Subsection (1) of Section 3-603

(1) [The] Except as otherwise provided with respect to restrictive indorsements the liability of any party is discharged to the extent of his payment or satisfaction to the holder even though it is made with knowledge of a claim of another person to the instrument unless prior to such payment or satisfaction the person making the claim either supplies indemnity deemed adequate by the party seeking the discharge or enjoins payment or satisfaction by order of a court of competent jurisdiction in an action in which the adverse claimant and the holder are parties

Subsection (3) of Section 3-802

[(3) Where a check or similar payment instrument provides that it is in full satisfaction of an obligation the payee discharges the underlying obligation by obtaining payment of the instrument unless he establishes that the original obligor has taken unconscionable advantage in the circumstances]

Article 4

Subsection (1) of Section 4-103

(1) The effect of the provisions of this Article may be

varied by agreement except that no agreement can disclaim a bank's responsibility [or limit the measure of damages] for its own lack of good faith or failure to exercise ordinary care or can limit the measure of damages for such lack or failure

Section 4-106

Section 4-106 Separate Office of a Bank A branch or separate office of a bank [maintaining its own deposit ledgers] is a separate bank for the purpose of computing the time within which and the place at or to which action may be taken or notices or orders shall be given under this Article

Section 4-201

Section 4-201 [When Item Taken for Collection Unless a contrary intent clearly appears a depository bank takes an item for collection regardless of the form of indorsement or lack of indorsement and even though credit for the item is subject to immediate withdrawal as of right] Presumption and Duration of Agency Status of Collecting Banks and Provisional Status of Credits Applicability of Article Item Indorsed "Pay any Bank" (1) Unless a contrary intent clearly appears and prior to the time that a settlement given by a collecting bank for an item is or becomes final (Sections 4-211 (2) 4-212 4-213) the bank is an agent or subagent of the owner of the item and any settlement given for the item is provisional This provision applies regardless of the form of indorsement or lack of indorsement and even though credit given for the item is subject to immediate withdrawal as of right or is in fact withdrawn but the continuance of ownership of an item by its owner and any rights of the owner to proceeds of the item are subject to rights of a collecting bank such as those resulting from outstanding advances on the item and valid rights of setoff When an item is handled by banks for purposes of presentment payment and collection the revelant provisions of this Article apply even though action of parties clearly establishes that a particular bank has purchased the item and is the owner of it

(2) After an item has been indorsed with the words "pay any bank" or the like only a bank may acquire the rights of a holder

(a) until the item has been returned to the customer initiating collection or

(b) until the item has been specially indorsed by a bank to a person who is not a bank

Section 4-203

Section 4-203 Effect of Instructions [Only] Subject to the provisions of Article 3 concerning restrictive indorsements and subject to provisions of this Article concerning notice from prior indorsements (Section 4-205) only a bank's transferor can give instructions which affect the bank or constitute notice to it and a bank is not liable to prior parties for any action taken pursuant to such instructions or in accordance with any agreement with its transferor

Subsection (2) of Section 4-204

(2) A collecting bank may send [an item direct to a payor bank but unless otherwise instructed may not send it direct to any other payor]

(a) any item direct to the payor bank

(b) any item to any non-bank payor if authorized by its transferor and

(c) any item other than documentary drafts to any non-bank payor if authorized by Federal reserve regulation or operating letter clearing house rule or the like

Subsection (2) of Section 4-205

(2) [A collecting or payor] An intermediary bank or payor bank which is not a depositary bank is neither given notice nor otherwise affected by [any condition in or trust imposed or agency declared by a prior] a restrictive indorsement of any person except the bank's immediate transferor

Section 4-207

Section 4-207 Warranties of Customer and Collecting Bank on Transfer or Presentment of Items Time for Claims [(1) A customer warrants to his depository bank and a customer and a collecting bank warrant to all subsequent intermediary banks and to the payor that

(a) he has a good title to the item transferred or presented or is authorized to obtained payment or acceptance on behalf of one who has a good title and

(b) the item has not been materially altered and

(c) he has no knowledge that the signature of the maker or drawer is unauthorized and

(d) he has no knowledge of any effective stop payment order But the warranties of subparagraphs (b) and (c) are not given by a holder in due course who has taken an item accepted after such alteration or by a collecting bank taking from such holder even through a draft has been accepted "payable as originally drawn" or in equivalent terms

(2) Where a transferee other than the payor has given consideration against an item sent it for collection the transferor in addition to the warranties set forth in subsection (1) engages that upon dishonor and any necessary notice of dishonor and protest he will pay the amount of the item to the transferee or to any subsequent holder who takes it up and also warrants to such transferee or such holder that

(a) all signatures are genuine or authorized and

(b) the transfer is rightful and

(c) no defense of any party is good against him and

(d) he has no knowledge of any insolvency proceeding instituted with respect to the maker or acceptor or the drawer of an unaccepted item

But the transferee may recover damages from the transferor for breach of those warranties or of the engagement to honor only to the extent of the consideration received by the transferor plus any financing charges and expenses

(3) The warranties and the engagement to honor set forth in the two preceding subsections arise notwithstanding the absence of words of guaranty or warranty in the transfer or presentment and a collecting bank remains liable for their breach despite remittance to its transferor

(4) Unless a claim for breach of warranty under this section is made within a reasonable time after the person claiming learns of the breach the person liable is discharged to the extent of any loss caused by the delay in making claim] (1) Any person who obtains payment or acceptance of an item and any prior transferor warrants to the payor bank or other payor who in good faith pays or accepts the item that

(a) he has a good title to the item or is authorized to obtain payment or acceptance on behalf of one who has a good title and

(b) he has no knowledge that the signature of the maker or drawer is unauthorized except that this warranty is not given by any customer or collecting bank that is a holder in due course and acts in good faith (i) to a maker with respect to the maker's own signature or (ii) to a drawer with respect to the drawer's own signature whether or not the drawer is also the drawee or (iii) to an acceptor of an item if the holder in due course took the item after the acceptance or obtain the acceptance without knowledge that the drawer's signature was unauthorized and

(c) the item has not been materially altered except that this warranty is not given by any customer or collecting bank that is a holder in due course and acts in good faith (i) to the maker of a note or (ii) to the drawer of a draft whether or not the drawer is also the drawee or (iii) to the acceptor of an item with respect to an alteration made prior to the acceptance if the holder in due course took the item after the acceptance even though the acceptance provided "payable as originally drawn" or equivalent terms or (iv) to the acceptor of an item with respect to an alteration made after the acceptance

(2) Any person who transfers an item and receives consideration warrants to his transferee and to any subsequent holder who takes the item in good faith that

(a) he has a good title to the item or is authorized to obtain payment or acceptance on behalf of one who has a good title and the transfer is otherwise rightful and

(b) all signatures are genuine or authorized and

(c) the item has not been materially altered and

(d) no defense of any party is good against him and

(e) he has no knowledge of any insolvency proceeding instituted with respect to the maker or acceptor or the drawals or applications
In addition each customer and collecting bank who transfers an item to a subsequent collecting bank and receives consideration engages that upon dishonor and any necessary notice of dishonor and protest he will take up the item
(3) The warranties and the engagement to honor set forth in the two preceding subsections arise notwithstanding the absence of indorsement or words of guaranty or warranty in the transfer or presentment and a collecting bank remains liable for their breach despite remittance to its transferor Damages for breach of such warranties or engagement to honor shall not exceed the consideration received by the customer or collecting bank responsible plus finance charges and expenses related to the item if any
(4) Unless a claim for breach of warranty under this section is made within a reasonable time after the person claiming learns of the breach the person liable is discharged to the extent of any loss caused by the delay in making claim
(5) A payor bank or other payor and a collecting bank may not assert a claim under this section or under indorsement obligations against a prior party who acts in good faith with respect to an item in any case in which the payor bank payor or collecting bank has waived or has failed upon request to assert a valid defense available to it against liability on the item

Section 4-208

Section 4-208 [When Bank Extending Credit for Item or Purchasing Draft or Time Instrument Has] Security Interest of Collecting Bank in Items Accompanying Documents and Proceeds (1) A bank has a security interest in an item and any accompanying documents or the proceeds of either
(a) in case of an item deposited in an account to the extent to which credit given for the item has been withdrawn or applied
[(b) in all other cases for which it has given credit available for withdrawal as of right to the extent of the credit given whether or not the credit is drawn upon and whether or not there is a right of chargback
(2) When credit which has been given for several items received at one time or pursuant to a single agreement is withdrawn or applied in part the security interest remains upon all the items any accompanying documents or the proceeds of either until sufficient proceeds or subsequent deposits have been received to balance withdrawals or applications]
(3) For the purpose of this section credits first given are first withdrawn]
(b) in case of an item for which it has given credit available for withdrawal as of right to the extent of the credit given whether or not the credit is drawn upon and whether or not there is a right of chargeback or
(c) if it makes an advance on or against the item
(2) When credit which has been given for several items received at one time or pursuant to a single agreement is withdrawn or applied in part the security interest remains upon all the items any accompanying documents or the proceeds of either For the purpose of this section credits first given are first withdrawn
(3) Receipt by a collecting bank of a final settlement for an item is a realization on its security interest in the item accompanying documents and proceeds To the extent and so long as the bank does not receive final settlement for the item or give up possession of the item or accompanying documents for purposes other than collection the security interest continues and is subject to the provisions of Article 9 except that
(a) no security agreement is necessary to make the security interest enforceable (Section 9-203 (1) (b)) and
(b) no filing is required to perfect the security interest and
(c) the security interest has priority over conflicting perfected security interests in the item accompanying documents or proceeds

Subsection (6) of Section 4-212

(6) If [provisional credit has been given in dollars for] credit is given in dollars as the equivalent of the value of an item payable in a foreign currency the dollar amount of any charge-back or refund shall be calculated on the basis of the [rate of exchange] buying sight rate for the foreign currency prevailing on the day when the person entitled to the charge-back or refund learns that it will not receive payment in ordinary course

Subsections (1) and (3) of Section 4-213

(1) [Subject to the provisions governing priority as between items and notices stop-orders legal process and setoff (Section 4-303) an item is finally paid by a payor bank when it has paid the item in cash or has completed the process of posting the item to the indicated account of the drawer maker or other person to be charged therewith whichever happens first] An item is finally paid by a payor bank when the bank has done any of the following whichever happens first
(a) paid the item in cash or
(b) settled for the item without reserving a right to revoke the settlement and without having such right under statute clearing house rule or agreement or
(c) completed the process of posting the item to the indicated account of the drawer maker or other person to be charged therewith Upon a final payment under subparagraphs (b) or (c) the payor bank shall be accountable for the amount of the item
* * *
(3) Subject to any right of the bank to apply the credit to an obligation of the customer or to any right of charge-back or recourse credit by the depositary bank for any deposit in the account of a customer becomes final
(a) at the [opening of its second banking day following receipt of the deposit if the depositary bank is the payor of the item] time of final payment of the item or the midnight deadline for the item whichever happens first if the depositary bank is the payor of a deposited item and if any credit given for the item has not been revoked (Section 4-301 (2)) but credit for the item does not become available for withdrawal as of right until the opening of the bank's second banking day
(b) at the opening of its next banking day following receipt of the deposit if the deposit is money
(c) when the depositary bank has received final payment and a reasonable time to learn that fact has elapsed in any case where it has received a provisional settlement and
(d) in all other cases when the depositary bank has received final payment

Subsection (2) of Section 4-301

(2) If [an] a demand item is received by a payor bank for credit on its books it may return such item or send notice of dishonor and may revoke any credit given or recover the amount thereof withdrawn by its customer if it acts within the time limit and in the manner specified in the preceding subsection

Subsection (1) of Section 4-303

(1) Any notice stop-order or legal process received and any valid set-off exercised by a payor bank is entitled to priority over any item drawn on or payable by and received by the bank until but not after the bank has done any of the following
(a) accepted or certified the item
(b) paid the item in cash
(c) settled for the item [by separate remittance for the particular item] without reserving a right to revoke the settlement and without having such right under statute clearing house rule or agreement
(d) completed the process of posting the item to the indicated account of the drawer maker or other person to be charged therewith or otherwise has evidenced by examination of such indicated account and by action its decision to pay the item or
(e) become liable for the item under Section 4-302 dealing with the payor bank's liability for late return of items

Section 4-402

Section 4-402 Bank's Liability to Customer for Dishonor A payor bank is liable to its customer for wrongful dishonor of an item but where the dishonor occurs through mistake its liability is limited to the actual damages proved [including] If proximately caused by the dishonor these may include damages for any arrest or prosecution of the customer

Subsection (2) of Section 4-403

(2) An oral order is binding upon the bank only [until the customer has had reasonable opportunity to send the bank a written confirmation if the bank requests such a confirmation] for fourteen calendar days unless confirmed in writing within that period A written order is effective for only six months unless renewed in writing

Article 5

Subsection (3) of Section 5-103

(3) Definitions in other Articles applying to this Article and the Sections in which they appear are

"Holder in Due Course" Section 3-302 but knowledge by a holder of a documentary draft that an accompanying document does not comply with the terms of a credit does not of itself prevent his becoming a holder in due course of the draft

"Accept" or "Acceptance" Section 3-410

Subsection (2) of Section 5-106

(2) Unless otherwise agreed

(a) A credit is established with relation to all parties when the beneficiary receives the letter of credit itself or authorized written advice of it and it also established with relation to the customer as soon as the letter of credit or a copy or other advice of issuance thereof is delivered to him A telegram may be a sufficient signed writing if it identifies its sender by an authorized authentication which may be in code The authorized naming of the issuer in an advice of credit is a sufficient signing

(b) An established irrevocable credit can be modified or cancelled only with the agreement of all parties as to whom it has been established

(c) Revocable credits may be modified or cancelled at any moment without notice to the customer or the beneficiary Any bank or branch authorized to honor or negotiate on behalf of the issuer is entitled to reimbursement for any draft duly honored or negotiated before receipt of notice of modification or cancellation

Section 5-107

Section 5-107 Issurer's and Other's Responsibility (1) A documentary draft which meets the terms of the relevant irrevocable credit must be honored [The issuer is not] Neither an issuer nor a confirming bank is excused from honor of such a draft by reason of an additional general term that all documents must be satisfactory to [the issuer but an issuer] it but it may require that specified documents must be satisfactory to it

(2) Unless otherwise agreed [an issuing paying negotiating or accepting] a paying or confirming or issuing bank is entitled to immediate reimbursement of any payment duly made under the credit and in the case of an acceptance an accepting or issuing bank is entitled to be put in effectively available funds not later than the day before maturity of any acceptance duly made under the credit

(3) Unless otherwise agreed the issuer's obligation to its customer [includes] and the confirming bank's obligation to the issuer include observance of customary banking practices but [does] do not include responsibility for any acts or ommissions of the beneficiary or any other person

Subsection (3) of Section 5-108

(3) Unless otherwise specified the customer bears as against the issuer and the issuer bears as against a confirming bank all risks of transmission and reasonable translation or interpretation of any message relating to a credit

Section 5-116

Section 5-116 Ready for Improper Dishonor or Repudiation (1) If an issuing or confirming bank dishonors a complying draft under an irrevocable credit any holder to whom the credit extends by its terms may recover the face amount of the draft and has with respect to any documents the rights of a person in the position of a seller (Section 2-707)

(2) If an issuing or confirming bank repudiates an irrevocable credit the beneficiary has an immediate right of action and with respect to any documents may proceed like a seller after repudication by the buyer (Sections 2-610 2-611 and 2-703 through 2-706)

(3) In no event shall recovery exceed the amount of the credit or the draft as the case may be

Article 6

Subsection (4) of Section 6-108

(4) Failure of the auctioneer to perform any of these duties does not affect the validity of the sale or the title of the purchasers but [it] if the auctioneer knows that the auction constitutes a bulk transfer such failure renders the auctioneer liable to the creditors of the transferor as a class for the sums owing to them from the transferor up to but not exceeding the net proceeds of the auction If the auctioneer consists of several persons their liability is joint and several

Article 7

Section 7-104

Section 7-104 Negotiable and Non-Negotiable Warehouse Receipt Bill of Lading or Other Document of Title (1) A warehouse receipt bill of lading or other document of title is negotiable

(a) if [it provides for delivery] by its terms the goods are to be delivered to bearer or to the order of a named person or

(b) where recognized in overseas trade if it runs to a named person or assigns

(2) Any other document is non-negotiable

New Section 7-105

Section 7-105 Construction Against Negative Implication The omission from either Part 2 or Part 3 of this Article of a provision corresponding to a provision made in the other Part does not imply that a corresponding rule of law is not applicable

Subsection (2) of Section 7-202

(2) Unless a warehouse receipt embodies within its written or printed terms each of the following the warehouseman is liable for [any loss] damages caused by the omission to a person injured thereby

(a) the location of the warehouse where the goods are stored

(b) the date of issue of the receipt

(c) the consecutive number of the receipt

(d) a statement whether the goods received will be delivered to the bearer to a specified person or to a specified person or his order

(e) the rate of storage and handling charges

(f) a description of the goods or of the packages containing them

(g) the signature of the warehouseman which may be made by his authorized agent

(h) if the receipt is issued for goods of which the warehouseman is owner either solely or jointly or in common with others the fact of such ownership and

(i) a statement of the amount of advances made and of liabilities incurred for which the warehouseman claims a lien or security interest (Section 7-209) If the precise amount of such advances made or of such liabilities incurred is at the time of the issue of the receipts unknown to the warehouseman or to his agent who issues it a statement of the fact that advances have been made or liabilities incurred and the purpose thereof is sufficient

Section 7-203

Section 7-203 Liability for Non-Receipt or Misdescription A party to or purchaser for value in good faith of a document of title other than a bill of lading relying in either case upon the description therein of the goods may recover from the issuer damages caused by the non-receipt or misdescription of the goods except to the extent that the document conspiciously indicates that the

issuer does not know whether any part or all of the goods in fact were received or conform to the description as where the description is in terms of marks or lables or kind quantity or condition or the receipt or description is qualified by "contents condition and quality unknown" "said to contain" or the like if such indication be true or the party or purchaser otherwise has notice

Subsection (1) of Section 7-204

(1) A warehouseman is liable for [any loss or injury] damages to the goods caused by his failure to exercise such care in regard to them as a reasonably careful man would exercise under like circumstances but unless otherwise agreed he is not liable for [any loss or injury] damages to the goods which could not have been avoided by the exercise of such care Damages may be limited by a term in the warehouse receipt or storage agreement limiting the amount of liability in case of loss or damage and setting forth a specific liability per article or item or value per unit of weight beyond which the warehouseman shall not be liable Provided however That such liability may on written request of the bailor at the time of signing such storage agreement or within a reasonable time after receipt of the warehouse receipt be increased on part or all of the goods thereunder in which event increased rates may be charged based on such increased valuation but that no such increase shall be permitted contrary to a lawful limitation of liability contained in the warehouseman's tariff if any No such limitation is effective with respect to the warehouseman's liability for conversion to his own use

Subsection (2) and (4) of Section 7-209

(2) The warehouseman may also reserve a security interest for a maximum amount specified on the receipt of charges other than those specified in subsection (1) such as for money advanced and interest Reservation of a security interest for damages since a stated date sufficiently specifies a maximum amount for past charges in relation to goods covered by the document

* * *

(4) A warehouseman loses his lien on any goods which he voluntarily delivers or which he unjustifiably refuses to deliver [or which he surrenders]

Subsection (4) of Section 7-210

(4) The warehouseman is liable for [loss resulting from] damages caused by failure to comply with the requirements for sale under this section and in case of wilful violation is liable for conversion The warehouseman may [bid] buy at any public sale pursuant to this section

Subsection (1) of Section 7-301

(1) A consignee of a non-negotiable bill who has given value in good faith or a holder to whom a negotiable bill has been duly negotiated relying in either case upon the description therein of the goods or upon the date therein shown may recover from the issuer damages caused by the non-receipt misdating or misdescription of the goods except to the extent that the document indicates that the issuer does not know whether any part or all of the goods in fact were received or conform to the description as where the description is in terms of marks or labels or kind quantity or condition or the receipt or description is qualified by "contents or condition of contents of packages unknown" "said to contain" "shipper's load and count" or the like if such indication be true

Subsection (2) of Section 7-302

(2) Where goods covered by a through bill of lading or other document embodying and undertaking to be performed in part by persons other than the issuer are delivered to any such person such person is subject while the goods are in its possession to the obligation of the bailee under the document This obligation is discharged by delivery of the goods to another such person pursuant to the document

Subsection (2) of Section 7-303

(2) Unless [a change of instructions is] such instructions are noted on a negotiable bill of lading a [purchaser without notice of the change] person to whom the bill is duly negotiated can hold the bailee according to the original terms

Subsection (3) of Section 7-307

(3) A carrier loses his lien on any goods which he [surrenders] voluntarily delivers or which he unjustifiably refuses to deliver

Section 7-308

Section 7-308 Enforcement of Carrier's Lien (1) A carrier's lien may be enforced by public or private sale of the goods in bloc or in parcels at any time or place and on any terms which are commercially reasonable after notifying all persons known to claim an interest in the goods Such notification must include a statement of the amount due the nature of the proposed sale and the time and place of any public sale The fact that a better price could have been obtained by a sale at a different time or in a different method from that selected by the carrier is not of itself sufficient to establish that the sale was not made in a commercially reasonable manner If the carrier either sells the goods in the usual manner in any recognized market therefor or if he sells at the price current in such market at the time of his sale or if he has otherwise sold in conformity with commercially reasonable practices among dealers in the type of goods sold he has sold in a commercially reasonable manner A sale of more goods than apparently necessary to be offered to ensure satisfaction of the obligation is not commercially reasonable except in cases covered by the preceding sentence

(2) Before any sale pursuant to this section any person claiming a right in the goods may pay the amount necessary to satisfy the lien and the reasonable expenses incurred under this section In that event the goods must not be sold but must be retained by the carrier subject to the terms of the bill and this Article

(3) The carrier is liable for [loss resulting from] damages caused by failure to comply with the requirements for sale under this section and in case of willful violation is liable for conversion. The carrier may [bid] buy at any public sale pursuant to this section.

(4) A purchaser in good faith of goods sold to enforce a carrier's lien takes the goods free of any rights of persons against whom the lien was valid despite noncompliance by the carrier with the requirements of this section

(5) The carrier may satisfy his lien from the proceeds of any sale pursuant to this section but must hold the balance if any for delivery on demand to any person to whom he would have been bound to deliver the goods

(6) The rights provided by this section shall be in addition to all other rights allowed by law to a creditor against his debtor

(7) A carrier's lien may be enforced in accordance with either subsection (1) or the procedure set forth in subsection (2) of Section 7-210

Section 7-402

Section 7-402 Duplicate Receipt or Bill Overissue Neither a duplicate nor any other document of title purporting to cover goods already represented by an outstanding document of the same issuer confers any right in the goods except as provided in the case of bills in a set overissue of documents for fungible goods and substitutes for lost stolen or destroyed documents But the issuer is liable for damages [resulting from] caused by his overissue or failure to identify a duplicate document as such by conspicuous notation on its face

Section 7-403

Section 7-403 Obligation of Warehouseman or Carrier to Deliver Excuse (1) The bailee must deliver the goods to a person entitled under the document who complies with [subsection] subsections (2) and (3) unless and to the extent that the bailee establishes any of the following

(a) delivery of the goods to a person whose receipt was rightful as against the claimant

(b) damage to or delay loss or destruction of the goods for which the bailee is not liable but the burden of

establishing negligence in such cases is on the person entitled under the document

(c) previous sale or other disposition of the goods in lawful enforcement of a lien or on warehouseman's lawful termination of storage

(d) the exercise by a seller of his right to stop delivery pursuant to the provisions of the Article on Sales (Section 2-705)

(e) a diversion reconsignment or other disposition pursuant to the provisions of this Article (Section 7-303) or tariff regulating such right

(f) Release satisfaction or any other fact affording a personal defense against the claimant

(g) any lawful excuse

(2) A person claiming goods covered by a document of title must [at the bailee's request] satisfy the bailee's lien [and unless] where the bailee so requests or where the bailee is prohibited by law from delivering the goods until the charges are paid

(3) Unless the person claiming is one against whom the document confers no right under Section 7-503 (1) he must surrender for cancellation or notation of partial deliveries any outstanding negotiable document covering the goods and the bailee must cancel the document or conspiciously note the partial delivery thereon or be liable to any person to whom the document is duly negotiated

[(3) A bailee who delivers goods covered by an outstanding negotiable document without cancelling the document or conspicuously noting partial deliveries thereon also becomes liable for delivery of goods called for by the document to any person to whom the document is duly negotiated unless the person to whom the goods were delivered is one against whom the document confers no right under Section 7-503 (1)]

(4) "Person entitled under the document" means holder in the case of a negotiable document or the person to whom delivery is to be made by the terms of or pursuant to written instructions under a nonnegotiable document

Subsection (4) of Section 7-501

(4) A negotiable document of title is "duly negotiated" when it is negotiated in the manner stated in this section to a holder who purchases it in good faith [including observance of reasonalbe commercial standards] and for value unless it is established that the negotiation is not in the current course of business or financing but a bailee may deliver the goods covered by the document of title to a person in possession of the document of title by the terms of which the goods are deliverable to his order or which has been negotiated to him in the manner provided in subsections (1) (2) (3) of this section

Subsection (1) of Section 7-502

(1) Subject to the following section and to the provisions of Section 7-205 on fungible goods and field warehouse receipts a holder to whom a negotiable document of title has been duly negotiated acquires thereby

(a) title to the document

(b) title to the goods

(c) all rights accuring under the law of agency or estoppel to goods delivered to the bailee after the document was issued and

(d) the direct obligation of the [bailee] issuer to hold or deliver the goods or in the case of a delivery order to procure the acceptance of the bailee to whom it is addressed according in any case to the terms of the document free of any defense or claim by [him not] the issuer except those arising under the terms of the document or apparent on its face

[But a holder of a delivery order until it has been accepted by the bailee to whom it is addressed acquires rights only against the issuer of the delivery order]

Subsection (2) of Section 7-503

(2) Title to goods based upon a delivery order is subject to the rights of anyone to whom a negotiable warehouse receipt or bill of lading covering such goods has been duly negotiated Title to goods based upon a bill of lading issued to a freight forwarded is subject to the rights of anyone to whom a bill issued by the freight forwarder covering such goods has been duly negotiated but delivery by the carrier [against surrender of its bill of lading] in accordance with Part 4 of this Article pursuant to its own bill of lading discharges the carrier's obligation to deliver

Subsection (2) of Section 7-601

(2) a bailee who without court order delivers goods to a person claiming under a missing negotiable document is liable to any person injured thereby and if the delivery is not in good faith becomes liable for conversion [In the case of a bill of lading action by the carrier in good faith] Delivery in good faith is not conversion if made in accordance with [the official classification and tariff is not conversion If the missing document was a negotiable warehouse receipt the claimant must post] a filed classification or tariff or where no classification or tariff is filed if the claimant posts security with the [warehouseman] bailee in an amount at least double the value of the goods at the time of posting to indemnify [the warehouseman against any loss by reason of the delivery of the goods] any person injured by the delivery who files a notice of claim within one year after delivery

Section 7-603

Section 7-603 Conflicting Claims Interpleader If more than one person claims title or possession of the goods the bailee is excused from delivering until he has had a reasonable time to ascertain the validity of the adverse claims or to bring an action to compel all claimants to interplead and may compel such interpleader either in defending an action for non-delivery of the goods or by original action whichever is appropriate

Article 8

Section 8-103

Section 8-103 Issuer's Lien A lien upon a security in favor of an issuer thereof is valid against a purchaser only if the right of the issuer to such lien is [set forth] noted conspicuously on the security

Subsection 1 of Section 8-104

(1) The provisions of this Article which validate a security or compel its issue or reissue do not apply to the extent that validation or issue results in overissue but

(a) if an identical security which does not constitute an overissue is reasonably available for purchase [on the market] the person entitled to issue or validation may compel the issuer to purchase and deliver the overissue and

(b) if a security is not so available for purchase [the purchaser] he may recover from the issuer the price he paid for it

Section 8-201

Section 8-201 "Issuer" With respect to obligations on or defenses to a security "issuer" includes a person who

(a) places or authorizes the placing of his name on a security (otherwise than as authenticating trustee registrar transfer agent or the like) to evidence that it represents a share participation or other interest in his property or in an enterprise or to evidence his duty to perform the principal obligation represented by the security or

(b) otherwise undertakes to perform the principal obligation represented by the security or

(c) directly or indirectly creates fractional interests in rights [of] or property which fractional interests are evidenced by securities

(d) becomes responsible for or in place of any other person described as an issuer in this section

Caption and Subsection (1) of Section 8-203

Section 8-203 Staleness as Notice of Defects or [Irregularities in Issue] Defenses (1) After an act or event which creates a right to immediate performance of the principal obligation evidenced by the security of which [requires that] sets a date on or after which the security is to be presented or surrendered for redemption or exchange a purchaser is charged with notice of any defect or [irregudarity in its issue] defense

Section 8-302

Section 8-302 "Bona Fide Purchaser" "Broker" (1) A "bona fide purchaser" is a purchaser for value and without notice of any claims of ownership who takes delivery of a security in bearer form or of one in registered form issued to him or indorsed to him or in blank

(2) "Broker" means a person engaged for all or part of his time in the business of buying and selling securities who in the transaction concerned acts for or buys a security from or sells a security to a customer Nothing in this Article determines the capacity in which a person acts for purposes of any other statute or rule to which such person is subject

Subsection (2) of Section 8-304

(2) The fact that the purchaser (including a broker for seller or buyer) has notice that the [registered owner holds the] security is held for a third person or [that the security] is registered in the name of or indorsed by a fiduciary does not create a duty of injury into the rightfulness of the transfer or constitute notice of claims of ownership If however the proceeds of the purchase are placed by the purchaser in the individual account of the fiduciary or are made payable in cash or to the fiduciary individually or the purchaser has reason to know that such proceeds are being used or that the transaction is for the individual benefit of the fiduciary the purchaser is charged with notice of claims of ownership

Section 8-305

Section 8-305 Staleness as Notice of Claims of Ownership An act or event which creates a right to immediate performance of the principal obligation evidenced by the security or which [requires that] fixes a date on or after which the security is to be presented or surrendered for redemption or exchange does not of itself constitute any notice of claims of ownership except in the case of purchase

(a) after one year from any date set for[a required] such presentment or surrender for redemption of exchange or

(b) if funds are available for payment after six months from any date set for payment of money against presentation or surrender of the security

Subsection (2) and New Subsection (3) of Section 8-306

(2) Where a security is delivered by an intermediary known to be entrusted with delivery of the security on behalf of another or with collection of a draft or other claim against such delivery the intermediary by such delivery warrants only his own good faith and that he has authority from his principal even though he has purchased or made advances against the claim to be collected against the delivery A broker is not an intermediary within the meaning of this subsection [in a transaction in which he has bought or sold the security for another]

(3) Unless otherwise agreed a pledgee or other holder for security who redelivers the security received or after payment and on order of the debtor delivers that security to a third person makes only the warranties of an intermediary under subsection (2)

Subsections (2) and (4) of Section 8-308

(2) An indorsement may be in blank or special An indorsement in blank includes an indorsement to bearer A special indorsement specifies the person to whom the security is to be transferred or who has power to transfer it A holder may convert a blank indorsement into a special indorsement

* * *

(4) [When an indorsement purports to be only of part of the security the transfer may be registered in accordance with the indorsement but delivery of a security so indorsed can not make the transferee a bona fide purchaser] An indorsement purporting to be only of part of a security representing units intended by the issuer to be separately transferable is effective to the extent of the indorsement

Subsection (2) of Section 8-314

(2) Except as otherwise provided in this section and unless otherwise agreed a transferors duty to deliver a security under a contract of purchase is not fulfilled until he places the security in form to be [further] negotiated by the purchaser in the possession of the purchaser or [sends it to him or to] a person designated by him or at the purchaser's request causing an acknowledgment that it is held for the purchaser to be made to him A sale to a broker purchasing for his own account is within this subsection and not within subsection (1)

Section 8-316

Section 8-316 Purchaser's Right to Requisites for Registration of Transfer on Books [(1)] Unless otherwise agreed the transferor must on due demand supply his purchaser with any proof of his authority to transfer or with any other requisite which may be necessary to obtain registration of the transfer of the security but if the transfer is not for value a transferor need not do so unless the purchaser furnishes the necessary expenses Failure to comply with [the] a demand made within a reasonable time gives the purchaser the right to reject or rescind the transfer

[(2) Unless otherwise agreed the purchaser's demand for such requisites must be made within a reasonable time not exceeding three months from his receipt of the security]

Section 8-402

Section 8-402 Sufficiency of Indorsement (1) A security is fully indorsed for transfer when the indorsements on or with it are sufficient to make the person presenting it a holder of the security

(2) Unless the issuer has notice that the person signing the indorsement has no power to make the indorsement the issuer shall not require more evidence than the following to establish the necessary indorsement If the person whose indorsement is required (subsection (1) of Section 8-308) is at the time of signing

(a) an adult not under guardianship an indorsement signed by him and a guarantee of that signature

(b) an infant or an adult under guardianship an indorsement signed by his guardian a guarantee of that signature and proof that the person signing was such guardian at the date of signing

(c) an individual who is dead and had not indorsed the security an indorsement signed by the executor or administrator of his estate a guarantee of that signature and proof that the person signing was such executor or administrator at the date of signing

(d) a partnership an indorsement signed on behalf of that partnership by [any] a general partner or an authorized agent of the partnership a guarantee of that signature and proof that the person signing was such partner or was such an agent at the date of signing

(e) a corporation an indorsement signed on behalf of the corporation by any of its officers evidence of the power of that officer to sign a guarantee of that signature and proof that the person signing was such officer at the date of signing

(f) an executor administrator trustee receiver or other fiduciary an indorsement signed by such fiduciary a guarantee of that signature and proof that the person signing was such fiduciary at the date of the signing where there is more than one fiduciary the signatures of all

(g) a person not covered by any of the foregoing papers appropriate to the case corresponding as nearly as may be to the foregoing

The fact that a person "was such at the date of signing" may be established by an appropriate certificate of appointment or incumbency dated within a reasonable period prior to the date of presentation

(3) "A guarantee of that signature" in each of the above cases means a guarantee signed by or on behalf of a person reasonably believed by the issuer to be responsible The issurer may adopt standards with respect to responsibility provided such standards are not manifestly unreasonable

(4) Nothing in this section shall preclude the operation

of Section 8-311 with respect to the effect of unauthorized indorsements

Section 8-403

Section 8-403 Duty to Inquire Into Rightfulness of Transfer (1) Where a security presented for registration is fully indorsed for transfer the issuer is under no duty to inquire into the rightfulness of the transfer unless he has notice of another claim to an interest in the security In such event he may discharge the duty of inquiry by any reasonable means including notifying the adverse claimant by registered mail at an address furnished by him for such purpose or if there be no such address at his residence or regular place of business that the security has been presented for registration of transfer by a named person and that such transfer will be registered unless within fourteen days from the date of mailing such notification the claimant either

(a) procures an appropriate restraining order injunction or other process from a court of competent jurisdiction in a cause therein instituted by the claimant wherein the person who has presented the security for registration of transfer is made a party and served with summons or

(b) files with the issuer an indemnity bond sufficient to protect the issuer and any transfer agent registrar or other agent of the issuer involved from any loss which it or they may suffer by complying with such adverse claim

(2) The fact that the issuer has notice that the [registered owner holds the] security is held for a third person [that the security] is registered in the name of or indorsed by a fiduciary does not create a duty of inquiry into the rightfulness of the transfer If however the issuer has notice that the transfer is to the fiduciary in his individual capacity or that the proceeds of the purchase have been placed in the individual account of the fiduciary or are made payable in cash or to the fiduciary individually or otherwise has reason to know that such proceeds are being used or that the transaction is for the individual benefit of the fiduciary the issuer is under a duty to inquire into the rightfulness of the transfer

Subsection (2) Section 8-405

(2) If after the issue of the new security a bona fide purchaser of the original security presents it for registration of transfer the issuer must register the transfer Thereupon the issuer may recover the new security from the person to whom it was issued or any person taking under him except a bona fide purchaser [If it is apparent after reasonable investigation that the issuer will be unable to recover the new security he may recover from the original owner or the indemnitor for any loss sustained]

New Section 8-407

Section 8-407 Warranties on Presentation for Registration of Transfer Unless otherwise agreed any person who presents a security for registration of transfer or on whose behalf a security is so presented warrants to the issuer and to the transfer agent or registrar to whom the security is presented that

(a) he has good title to the security or is authorized to have the security registered for transfer on behalf of one who has good title to it and

(b) he has no knowledge of any material alteration of the security or that it or any necessary indorsement is not genuine

Article 9

Section 9-102

Section 9-102 Policy and Scope of Article (1) Except as otherwise provided in Section 9-103 on multiple state transactions and in Section 9-104 on [the exclusion of certain security interests and other] excluded transactions this Article applies so far as concerns any personal property within the jurisdiction of this State

(a) to any transaction (regardless of its form) which is intended to create a security interest in personal property including goods documents instruments general intangibles chattel paper accounts or contract rights and also

(b) to any [financing] sale of accounts contract rights or chattel paper

(2) Among the transactions to which this Article applies are those in the form of pledge assignment chattel mortgage chattel trust trust deed factors lien equipment trust conditional sale bailment-lease trust receipt other lien or title retention contract and [a] lease or consignmen intended as security

(3) The application of this Article to a security interest in collateral is not affected by the fact that the collateral is itself secured by a transaction or interest to which this Article does not apply

Subsection (2) of Section 9-103

(2) If the chief place of business of a debtor is in this state the validity and perfection of a security interest and the possibility and effect of proper filing with regard to general intangibles or with regard to equipment of a type which is normally used in more than one jurisdiction (such as automotive equipment rolling stock airplanes road building equipment commercial harvesting equipment construction machinery and the like) is governed by this Article otherwise by the law of the state (including the conflict of laws rules) where such chief place of business is located but if the chief place of business is located in a state which does not provide for perfection of the security interest by filing or recording in that state then the security interest may be perfected by filing in this state

Section 9-104 (Amended July 27 1953 (P L 624))

Section 9-104 Transactions Excluded From Article This Article does not apply

(a) to a security interest subject to the Ship Mortgage Act 1920 or any other statute of the United States to the extent that such statute regulates the rights of parties to and third parties affected by transactions in particular types of property or

(b) to a landlord's lien or a lien on real estate or

(c) to a lien given by statute or other rule of law for services or materials except as provided in Section 9-310 on priority of such liens or

(d) to an assignment or other transfer of a claim for wages salary or other compensation of an employee or

(e) to an equipment trust covering railway rolling stock or

(f) to a transfer of accounts as part of a sale of the business out of which they arose or a transfer of a contract right to an assignee who is also to do the performance under the contract or

(g) to an assignment or other transfer of an interest or claim in or under any policy of insurance or

(h) to a right represented by a judgment or

(i) to any right of setoff or

(j) to an assignment or other transfer of an interest or a claim in or to any of the following any mortgage trust deed or other instrument creating or evidencing a lien or encumbrance on real estate any lease of real property any deposit account or savings account maintained with any bank bank and trust company national banking association savings bank building and loan association savings and loan association or credit union any building and loan association shares for which share certificates have not been issued any testamentary or inter vivos non-corporate trust estate or any decedent's estate any estate subject to the supervision of a court of competent jurisdiction pursuant to the provisions of any state or federal law relating to bankruptcy reorganization or insolvency

Subsection (1) of Section 9-105

(1) In this Article unless the context otherwise requires

(a) "Account debtor" means the person who is [indebted] obligated on an account chattel paper or contract right or general intangible

(b) "Chattel paper" means a [security agreement or

lease of a type which is in ordinary course of business transferred by delivery with appropriate indorsement or assignment] writing which evidences either a security interest in or a lease of specific consumer goods or specfic equipment When a transaction is evidenced both by chattel paper and by an instrument or a series of instruments the group of writings taken together constitutes chattel paper

(c) "Collateral" means the property subject to a security interest and includes contract rights chattel paper or accounts which have been sold

(d) "Debtor" means the person who owes payment or other performance of the obligation secured whether or not he owns or has rights in the collateral and includes the seller of accounts contract rights or chattel paper Where the debtor and the owner of the collateral are not the same person the term "debtor" [unless the context of a particular section otherwise requires includes the owner of the collateral as well as the person who owes the obligation secured] means the owner of the collateral in any provision of the Article dealing with the collateral the obligor in any provision dealing with the obligation and may include both where the context so requires

(e) ["Documents"] "Document" means [documents] document of title as defined in the general definitions in Article 1 (Section 1-201)

(f) "Goods" includes all things which are movable at the time the security interest attaches even though they are later affixed to realty but does not include money documents [of title] instruments accounts chattel paper general intangibles contract rights and other things in action "Goods" also includes the unborn young or animals and growing crops

(g) "Instrument" means a negotiable instrument (defined in Section 3-104 or a security (defined in Section 8-102) or any other writing [not itself a security agreement or lease] which evidences a right to the payment of money and is not itself a security agreement or lease and is of a type which is in ordinary course of business transferred by delivery with any necessary indorsement or assignment When a transaction is evidenced both by chattel paper and by an instrument or a series of instruments the group of writings taken together constitutes chattel paper

(h) "Security agreement" means an agreement which creates or provides for a security interest

(i) "Secured party" means a lender seller or other person in whose favor there is a security interest or to whom accounts contract rights or chattel paper have been sold When the holders of obligations issued under an indenture of trust equipment trust agreement or the like are represented by a trustee or other person the secured party is the trustee or other representative

Section 9-106

Section 9-106 Definitions "Account" "Contract Right" "General Intangibles" "Account" means a right to payment for goods sold or leased or for services rendered which is not evidenced by an instrument of chattel paper "Contract right" means any right to payment under a contract not yet earned by performance and not evidenced by an instrument or chattel paper [A right to wages salary or other compensation of an employee or a right represented by a judgment is neither a "contract right" nor an "account"] "General intangibles" means intangibles which are or evidence rights in personalty and which are neither accounts or contract rights nor chattel paper documents or instruments (Section 9-105)

Section 9-107

Section 9-107 Definitions "Purchase Money Security Interest" A security interest is a "purchase money security interest" to the extent that it is

(a) taken or retained by the seller of the collateral to secure all or part of its price or

(b) taken by a person who by making advances or incurring an obligation gives value to enable the debtor to acquire rights in or the use of collateral if such value is in fact so used or

[(c) taken by a person who for the purpose of enabling the debtor to pay for or acquire rights in or the use of collateral makes advances or incurs an obligation not more than ten days before or after the debtor receives possession of the collateral even though the value given is not in fact used to pay the price]

Subsection (2) of Section 9-108

(2) Where a secured party makes an advance incurs an obligation releases a perfected security interest or otherwise gives new value which is to be secured in whole or in part by after-acquired property his security interest in the after-acquired collateral shall be deemed to be taken for such new value and not as security for a pre-existing claim if the debtor acquires his rights in such collateral either in the ordinary course of his business or under a contract of purchase made within a reasonable time after the making of the security agreement and pursuant thereto

Subsection (4) of Section 9-109

(4) "Inventory" if they are held or are being prepared for sale [or are to be furnished under a contract of service] or if they are raw materials work in process or materials used or consumed in a business If goods are inventory they are [neither farm products nor] not equipment

Section 9-110

Section 9-110 Sufficiency of Description For the purposes of this Article any description of personalty or realty is sufficient whether or not it is specific if it reasonably identifies [the thing] what is described

Section 9-112

Section 9-112 Where Collateral Is Not Owned by Debtor [When a secured party knows that collateral is owned by a person who is not the debtor the owner of the collateral shall have the same right as the debtor to receive statements under Section 9-208 to object to a secured party's proposal to retain the collateral in satisfaction of the indebtedness under Section 9-505 to obtain injunctive or other relief under Section 9-507 (1) and to recover losses caused to him under Section 7-208 (2) Such owner rather than the debtor is entitled to any surplus under Section 9-502 (2) or Section 9-504 (1)] Unless otherwise agreed when a secured party knows that collateral is owned by a person who is not the debtor the owner of the collateral is entitled to any surplus under Section 9-502 (2) or under Section 9-504 (1) and is not liable for the debt or for any deficiency after resale and he has the same right as the debtor

(a) to receive statements under Section 9-208

(b) to object to a secured party's proposal to retain the collateral in satisfaction of the indebtedness under Section 9-505.

(c) to obtain injunctive or other relief under Section 9-507 (1) and

(d) to recover losses caused to him under Section 9-208 (2)

Subsection (1) of Section 9-203

(1) A security interest is not enforceable against the debtor or third parties unless

(a) the collateral is in the possession of the secured party or

(b) the debtor has signed a security agreement which contains a description of the collateral and in addition when the security interest covers crops or oil gas or minerals to be extracted or timber to be cut a description of the land concerned

Subsection (4) of Section 9-204

(4) No security interest attaches under an after-acquired property clause

(a) to crops which become such more than one year after the security agreement is executed except that a security interest in crops which is given in conjunction with a lease or a land purchase [mortgage or contract] transaction evidenced by a contract mortgage or deed of trust may if so agreed attach to crops to be grown on the

land concerned during the period of such real estate transaction

(b) to consumer goods when given as additional security unless the debtor acquires rights in them within ten days after the secured party gives value

Subsection (1) of Section 9-206

(1) An agreement by a buyer of consumer goods as part of the contract for sale that he will not assert against an assignee any [claim or] defense or setoff arising out of the sale is not enforceable by any person If such a buyer as part of one transaction signs both a negotiable instrument and a security agreement even a holder in due course of the negotiable instrument is subject to such [claims or defenses] defense or setoff if he seeks to enforce the security interest either by proceeding under the agreement or by attaching or leving upon the goods in an action upon the instrument

Section 9-302

Section 9-302 When Filing Is Required to Perfect Security Interest Security Interests to Which Filing Provisions of This Article Do Not Apply. (1) A financing statement must be filed to perfect all security interests except those covered in subsection (2) and the following

(a) a security interest in collateral in possession of the secured party under Section 9-305

(b) a security interest in instruments or documents perfected without delivery under Section 9-304

(c) a purchase money security interest in farm equipment having a purchase price not in excess of $2500 but filing is required if the equipment is part of the realty under Section 9-313 or a motor vehicle required to be licensed

(d) a purchase money security interest in consumer goods but filing is required if the goods are part of the realty under Section 9-313 or a motor vehicle required to be licensed

(e) an assignment of accounts or contract rights which either is for the purpose of collection only or does not alone or in conjunction with other assignments to the same assignee transfer a significant part of the outstandng accounts or contract rights of the assignor

[(f) if an assignee finances accounts chattel paper or contract rights in the ordinary course of his business a further assignment by him of any such collateral already assigned to him]

(2) The filing provisions of this Article do not apply to the assignment of a perfected security interest or to a security interest

(a) in property subject to a statute of the United States which provides for national registration or filing of all security interests in such property or

(b) in property subject to a statute of this state which provides for central filing of [or which requires indication on a certificate of title of such] security interest in such property or in a vehicle not classified as inventory under this Article for which a certificate of title is required under the statutes of this State if a notation of such a security interest can be indicated by a public official on the certificate or a duplicate thereof

[Compliance with any such statute is equivalent to filing under this Article]

(3) A security interest in property covered by a statute described in subsection (2) can be perfected only by registration or filing under that statute or by indication of the security interest on the certificate of title or a duplicate thereof by a public official

Subsections (2) and (3) of Section 9-303

(2) A perfected security interest may be or become subordinate to the rights of the following persons

(a) a buyer in ordinary course or other buyer taking free of a security interest under Section 9-307

(b) a purchaser of chattel paper under Section 9-308

(c) a holder in due course of a negotiable instrument or a holder to whom a negotiable document has been duly negotiated or a bona fide purchaser of a security under Section 9-309

(d) a person having a lien for services or materials under Section 9-310

(e) [a secured party with a previously perfected security interest] any person who has priority under Section 9-312

(3) Except as provided in Section 9-304 a security interest in [documents or] instruments (other than instruments which constitute part of chattel paper) can be perfected only by the secured party's taking possession of the collateral

Section 9-304

Section 9-304 Temporarily Perfected Security Interest in Instruments or Documents Without Transfer of Possession (1) [A security interest in instruments or documents (even though not in the possession of the secured party) is perfected against all creditors of the debtor and against all transferees other than those specified in Section 9-309 for twenty-one days from the time it attaches if the security interest arises by reason of an agreement signed by the debtor under which the secured party makes a new advance releases a perfected security interest or incurs a new obligation It ceases to be a perfected security interest and becomes unperfected at the end of the twenty-one day period unless within that period the collateral has come into the possession of the secured party] To the extent that it arises for new value under a written security agreement a security interest in instruments or documents which remain in the possession of the debtor is perfected for twenty-one days from the time it attaches as against all persons except

(a) in the case of negotiable instruments securities and negotiable documents a transferee specified in Section 9-309 and

(b) in the case of non-negotiable instruments and documents a transferee for new value in the ordinary course of business who takes possession of the collateral without knowledge that the specific collateral is subject to a security interest

(2) A secured party who has possession of instruments or documents may turn over such collateral to the debtor under a written security agreement and nevertheless continue to have a perfected security interest under this section for twenty-one days from the time of turning over

(3) A perfected security interest under subsections (1) or (2) of this section ceases to be a perfected security interest and becomes unperfected at the end of the twenty-one day period unless within that period the collateral has come into the possession of the secured party or in the case of documents a security interest has been perfected by filing and in the case of such possession or filing the perfection shall be deemed to be continuous

Section 9-306

Section 9-306 "Proceeds" Secured Party's Rights on Disposition of Collateral (1) When collateral is sold exchanged collected or otherwise disposed of by the debtor [the security interest continues on any identifiable proceeds received by the debtor except as otherwise provided in subsection (2) the security interest also continues in the original collateral unless the debtor's action was authorized by the secured party in the security agreement or otherwise or unless it is otherwise provided in Sections 9-301 9-303 (2) 9-307 9-308 and 9-309 The security interest in proceeds is a perfected security interest if the interest in the original collateral was perfected but it ceases to be a perfected security interest and becomes unperfected ten days after receipt of the proceeds by the debtor unless

(a) the financing setatement covering the original collateral also includes the proceeds received on disposition of such collateral or]

[(b) it is perfected before the expiration of the ten day period

(2) In insolvency proceedings a secured party with a perfected security interest has a right to the cash and bank accounts of the debtor equal to the amount of cash proceeds received by the debtor within ten days before the institution of such proceedings less the amount of such proceeds received by the debtor and paid over to the secured party during the ten day period but no other

right to or lien on cash proceeds not subjected to his control before insolvency proceedings are instituted Nothing in this subsection shall affect any right of set-off which might otherwise exist

(3) On sale or exchange of collateral or collection of accounts or chattel paper by the debtor "proceeds" are received and when the right to payment has been earned under a contract right the resulting account is a "proceed" "Cash proceeds" include checks and money received on disposition of collateral or on collection or transfer of non-cash proceeds but not notes time bills chattel paper accounts and goods received in exchange

(4) If the proceeds resulting from a sale or other disposition of inventory consists of chattel paper nothing in this section prevents a transfer thereof for new value in the ordinary course of business and the security interest or any other right of any such transferee shall have priority over the security interest based on a claim to proceeds under subsection (1)

(5)] a security interest continues in

(a) the original collateral unless the debtor's action was authorized by the secured party in the security agreement or otherwise or unless it is otherwise provided in Sections 9-301 (priority over unperfected security interests) 9-303 (2) (subordination of perfected security interests) 9-307 (rights of buyers) 9-308 (security interest without possession) or 9-309 (purchasers of instruments and documents) and

(b) any identifiable proceeds received by the debtor

(2) The security interest in proceeds is a continuously perfected security interest if the interest in the original collateral was perfected but it ceases to be a perfected security interest and becomes unperfected ten days after receipt of the proceeds by the debtor unless

(a) the financing statement covering the original collateral also includes the proceeds received on disposition of such collateral or

(b) the security interest in the proceeds is perfected before the expiration of the ten day period

(3) In the event of insolvency proceedings instituted by or against a debtor a secured party with a perfected security interest in proceeds has a perfected security interest in identifiable non-cash proceeds He also has a right to a priority in an amount equal to the value of any cash proceeds (either identifiable or not) received by the debtor within ten days before the institution of such insolvency proceedings less the amount of cash proceeds received by the debtor and paid over to the secured party during the ten day period but no other right to or lien on cash proceeds not subjected to the control of the secured party before insolvency proceedings are instituted and the amount of this priority shall in no event exceed the amount of the cash and bank accounts of the debtor as of the date of insolvency Nothing in this subsection shall affect any right of set-off which might otherwise exist

(4) On sale exchange or return of collateral or collection of accounts or chattel paper by the debtor "proceeds" are received and when the right to payment has been earned under a contract right the resulting account is a "proceed" "Cash proceeds" include checks and money received on disposition of collateral or on collection or transfer of non-cash proceeds but not notes time bills chattel paper accounts and goods received in exchange

(5) If the proceeds resulting from a sale or other disposition of inventory consists of chattel paper the security interest or any other right of a transferee of such chattel paper for new value in the ordinary course of business has priority over a security interest based on a claim to proceeds under subsection (2) or (3) But where the holder of the security interest in chattel paper as proceeds gives new value for and claims a security interest in the chattel paper as such Section 9-308 applies

(6) If collateral which has been sold is returned to the debtor the following rules determine the priorities

(a) As between the debtor and a secured party to whom the indebtedness originally secured by the collateral has not been paid the original security interest continues

(b) As between the debtor and an unpaid transferee of the chattel paper arising from the sale the transferee shall have a security interest in the property returned but such security interest must be perfected for protection against third parties

(c) The security interest of an unpaid transferee under (b) shall have priority over a security interest claimed under (a)

Section 9-308

Section 9-308 Security Interest in Documents and Chattel Paper Without Transfer of Possession but by Filing [Filing] Subject to Section 9-309 (on purchasers of instruments and documents) filing with regard to documents and chattel paper not transferred to the posession of the secured party perfects a security interest [in such paper] therein against all creditors of the debtor and all transferees except a purchaser for new value and in the ordinary course of his business who takes possession of the [paper and who] collateral and does not have actual knowledge that the specific [chattel paper] collateral is subject to a security interest

Section 9-312

Section 9-312 [Conflicting Security Interests General Rules of Priority When conflicting perfected security interests attach to the same collateral such interests rank in the order of time of perfection with the following exceptions

(1) An interest which attaches after filing takes priority from the time of filing but in case of conflict this rule is subject to the rules stated in the following subsections

(2) A secured party who has a perfected security interest and who makes later advances to the debtor on the same collateral and under the same security agreement takes priority as to the later advances from the time when his security interest was originally perfected

(3) A secured party who has a perfected security interest and who acquires rights in after-acquired collateral under a term in the security agreement takes priority as to such rights from the time when his security interest was originally perfected whether or not he makes advances on the after-acquired collateral except as otherwise provided in subsection (4)

(4) A purchase money security interest has priority over a conflicting interest in the same collateral which is claimed under an after-acquired property clause if the purchase money security intrest is perfected at the time the debtor receives the collateral or within ten days thereafter and where the collateral is inventory if before the debtor receives it the purchase money party also notifies any secured party who has made a prior filing covering inventory of the type concerned Such notification must describe the inventory concerned state that the interest is a purchase money security interest and specify its amount If however the interest claimed under an after-acquired property clause is itself a purchase money security interest the rule stated in subsection (5) applies

(5) When there are conflicting purchase money security interests the interest of a seller or of a securied party whose advance was used at his direction to pay a seller takes priority if he has perfected his interest at the time the debtor receives the collateral or within ten days thereafter In any other case of conflicting purchase money security interests they rank equally

(6) When the collateral is crops the interest of a later secured party who in order to enable the debtor to produce them makes a new advance incurs a new obligation releases a perfected security interest or gives other new value during the production season or not more than three months before the crops are planted or otherwise become growing crops takes priority over the interest of an earlier secured party to the extent that the earlier interest secured obligations (such as rent interest or mortgage principal amortization) due more than six months before the crops are planted or otherwise become growing crops]

[(7) Section 9-313 on goods which are part of the realty Section 9-314 on goods which are affixed to other goods and section 9-315 on goods which are commingled or pro-

cessed state rules or priority which supplement the rules stated in this section] Priorities Among Conflicting Security Interests in the Same Collateral (1) The rules of priority stated in the following sections shall govern where applicable Section 4-208 with respect to the security interest of collecting banks in items being collected accompanying documents and proceeds Section 9-301 on priorities over unperfected security interests Section 9-306 on claims to chattel paper as proceeds against claims of a transferee thereof Section 9-308 on filed security interests in chattel paper or documents as against purchasers thereof Section 9-309 on perfected security interests as against certain holders of negotiable instruments or documents or bona fide purchasers of securities Section 9-310 on priorities between perfected security interests and liens by operation of law Section 9-313 on security interests in goods as against interests in realty Section 9-314 in security interests in accessions as against interests in goods Section 9-315 on conflcting security interests where identity of the collateral is lost and Section 9-316 on contractual subordination

(2) A security interest in crops for new value to enable the debtor to produce the crops during the production season or not more than three months before the crops become growing crops by planting or otherwise takes priority over an earlier perfected security interest to the extent that such earlier interest secures obligations due more than six months before the crops become growing crops by planting or otherwise

(3) A purchase money security interest in inventory collateral has priority over a conflicting security interest in the same collateral if

(a) the purchase money security interest is perfected at the time the debtor receives possession of the collateral and

(b) any secured party who has previously filed a financing statement covering the same items or type of inventory has received notification of the purchase money security interest before the debtor receives possession of the collateral covered by the purchase money security interest and

(c) such notification states that the person giving the notice has or expects to acquire a purchase money security interest in inventory of the debtor describing such inventory by item or type

(4) A purchase money security interest in collateral other than inventory has priority over a conflicting security interest in the same collateral if the purchase money security interest is perfected at the time the debtor receives possession of the collateral

(5) In all cases not governed by rules stated in subsections (1) (2) (3) and (4) of this section priority between conflicting security interests in the same collateral shall be determined as follows

(a) in the order of filing if both are perfected by filing regardless of which security interest attached first under Section 9-204 (1) and whether it attached before or after filing

(b) in the order of perfection if one is perfected by filing and the other in any other manner regardless of which security interest attached first under Section 9-204 (1) and in the case of a filed security interest whether it attached before or after filing and

(c) in the order of attachment under Section 9-204 (1) if neither is perfected

(6) If a security interest is originally perfected in any way permitted under this Article and is subsequently perfected in some other way under this Article without an intermediate period when it was unperfected the security interest shall be deemed to be perfected continuously for the purposes of this Article and the priority of such security interest shall date from its original filing if originally perfected by filing or its original perfection if originally perfected without filing

Subsection (4) of Section 9-318

(4) A term [prohibiting] in any contract between an account debtor and an assignor which prohibits assignment of an account or contract right to which they are parties is ineffective Before making payment an account debtor may however require as assignee to furnish reasonable proof of the making of the assignment Until an assignee furnishes reasonable identification of the account or contract right assigned the account debtor may make payment to the assignor

Section 9-401

Section 9-401 Place of Filing Erroneous Filing Removal of Collateral (1) If filing is required by this Article (subsection (1) of Section 9-302) in order to perfect a security interest the place of filing is as follows

(a) when the collateral is accounts other than those arising from the sale of farm products by a farmer or is chattel paper contract rights inventory or equipment other than equipment used in farming operations then in the office of the Secretary of Commonwealth [and in addition if all of the debtor's places of business are in a single county in the office of the prothonotary of that county]

(b) when the collateral is consumer goods equipment used in farming operations farm products or accounts arising from the sale of farm products by a farmer then in the office of the prothonotary of the county of the debtor's residence or if the debtor is not a resident of this State then in the office of the prothonotary of the county where the land on which the crops are growing or to be grown is located

(c) when the collateral is goods which are or are to be so affixed to realty as to be a part thereof then in the office where a mortgage on the realty concerned would be filed or recorded

(d) when the collateral is general intangibles documents or any other type not specified in subclauses (a) (b) and (c) in the office of the Secretary of the Commonwealth

(2) A filing which is made in good faith in an improper place or not in all of the places required by this section is neverthless effective with regard to any collateral as to which the filing was proper and with regard to all collateral against any person who has knowledge of the filing of a financing statement which indicates that a security interest in all collateral wherever located was intended

(3) A filing which is made in the porper [county in this state remains effective for one hundred and twenty days after the debtor's residence or place of business or the location of the collateral is changed to another county of this state but becomes ineffective thereafter unless a copy of the financing statement signed by the secured party is filed in the new county within said period] place in this state remains effective even though the debtor's residence or place of business or the location of the collateral or its use is thereafter changed

(4) When collateral is brought into this state from another jurisdiction the rules stated in Section 9-103 apply to determine when filing is necessary in this state

Caption and Subsection (1) of Section 9-402

Section 9-402 Formal Requisites of Financing Amendments (1) A financing statement is sufficient if it is signed by the debtor and the secured party gives an address of the secured party from which information concerning the security interest may be obtained gives a mailing address of the debtor and contains a statement indicating the types or describing the items of [property covered] collateral A financing statement may be filed before a security agreement is made When the collateral is crops growing or to be grown or goods affixed or to be affixed to realty so as to be a part thereof the statement must also contain a description of the land or realty concerned A copy of the security agreement is sufficient as a financing statement if it contains the above information and is signed by both parties [When the collateral is goods affixed or to be affixed to realty the collateral must be described by item and not by type]

New Subsection (4) of Section 9-402

(4) The term "financing statement" as used in this Article means the original financing statement and any amendments signed by the debtor and the secured party but if any amendment adds collateral it is effective as

to the added collateral only from the filing date of the amendment

Section 9-403

Section 9-403 What Constitutes Filing Duration of Filing Effect of Lapsed Filing Duties of Filing Officers (1) Presentation for filing of a financing statement and tender of the filing fee or acceptance of the statement by the filing officer constitutes filing under this Article

(2) A filed financing statement which states [the] a maturity date of the obligation secured of less than five years is effective until [that] such maturity date and thereafter [until it lapses under subsection (3)] for a period of sixty days Any other filed financing statement is effective [until it lapses under subsection (3)] for a period of five years from the date of filing The effectiveness of a filed financing statement lapses on the expiration of such sixty day period after a stated maturity date or on the expiration of such five year period as the case may be unless a continuation statement is filed prior to the lapse Upon such lapse or upon the filing of a statement of termination under Section 9-404 the security interest becomes unperfected as of the date of lapse with regard to rights which accrue thereafter

(3) [At any time after the maturity date stated in a financing statement or at any time after five years from the date of filing a financing statement which states no maturity date a filing officer may notify a secured party at his address given in the statement that the effectiveness of the statement will lapse unless a continuation statement has been filed not later than sixty (60) days following the date of notification] Within six months prior to the lapse of the effectiveness of a filed financing statement under subsection (2) a continuation statement may be filed by the secured party Any such continuation statement [shall] must be signed by the secured party [shall] identify the original statement by file number and [shall] state that the original statement is still effective Upon timely filing of the continuation statement the effectiveness of the original statement [shall be] is continued for five years [At any time after five years from the date of filing a continuation statement the filing officer may again proceed under this subsection] whereupon it lapses in the same manner as provided in subsection (2) unless another continuation statement is filed prior to such lapse Succeeding continuation statements may be filed in the same manner to continue the effectiveness of the original statement Unless a statute on disposition of public records provides otherwise the filing officer may remove a lapsed statement from the files and destroy it and the index

(4) A filing officer shall mark each statement with a consecutive file number and with the date and hour of filing and shall hold the statement for public inspection In addition the filing officer shall index the statements according to the [names] name of the debtor and the name of the secured party and shall note in the index the file number and the [addresses] address of the debtor and the name and address of the secured party given in the statement

(5) The [filing] uniform fee for filing indexing and furnishing filing data for an original or a continuation statement shall be [one dollar fifty cents ($1.50)] two dollars ($2.00)

Subsections (2) (3) and (4) of Section 9-404

(2) On presentation to the filing officer of such a termination statement he must note it in the index Unless a statute or disposition of public records provides otherwise the filing officer shall remove the financing statement from the files [and return the termination statement and the financing statement to the secured party] mark it "terminated" and send or deliver the financing statement to the secured party at the address shown on the financing statement

(3) The uniform fee for filing [such] and indexing a termination statement [shall be seventy-five cents ($.75)] and sending or delivering the financing statement shall be one dollar ($1.00)

(4) If a termination statement is given by one other than the secured party of record an assignment or statement thereof by the secured party of record must accompany the termination statement when presented to the filing officer Section 9-302 (2) notwithstanding The uniform fee for filing and indexing such an assignment or statement thereof shall be one dollar ($1.00)

New Section 9-405

Section 9-405 Filing of Statement of Assignment or of Assignment of a Secured Party's Interest Duties of Filing Officer Fees Notwithstanding that Section 9-302 (2) does not require filing a secured party may assign of record all or a part of his rights under a financing statement by indication therein of the name and address of the assignee or by the filing of a separate written statement of assignment signed by the secured party On presentation to the filing officer of such a financing statement or such a separate statement setting forth the name of the secured party and the debtor the file number and the date of filing of the financing statement and the name and address of the assignee and containing a description of the collateral assigned the filing officer shall mark such financing statement as provided in Section 9-403 (4) or mark such separate statement with the date and hour of the filing He shall note the assignment on the margin of the index of the filing of the financing statement The uniform fee for filing indexing and furnishing filing data about such a separate statement of assignment shall be one dollar ($1.00)

New Section 9-406

Section 9-406 Release of Collateral Duties of Filing Officer Fees A secured party of record may by a statement in writing signed by the secured party release all or a part of any collateral described in a filed financing statement A statement of release is sufficient if it is signed by the secured party of record and contains a statement indicating the collateral being released the name and address of the debtor the name and address of the secured party and the file number of the financing statement Upon presentation of such a statement to the filing officer he shall mark the statement with the hour and date of filing and shall note the same upon the margin of the index of the filing of the financing statement The uniform fee for filing and noting such a statement of release shall be one dollar ($1.00)

Subsection (1) of Section 9-501

(1) When a debtor is in default under the security agreement a secured party may reduce his claim to judgment If the collateral is accounts general intangibles chattel paper contract rights or instruments he may in addition under either Section 9-504 or [under] Section 9-502 [for a time and thereafter under Section 9-504] or both If the collateral is documents he may in addition proceed under Section 9-504 either as to the documents or as to the goods covered thereby If the collateral is goods he may in addition do one or more of the following (except that he cannot accept the collateral in discharge of the obligation under Section 9-505 and also recover a deficiency under Section 9-504)

(a) foreclose the security interest by any available judicial procedure

(b) take possession of the collateral under Section 9-503

(c) prepare or process the collateral for disposition as provided in Section 9-504

(d) sell and recover a deficiency as provided in Section 9-504

(e) accept the collateral in discharge of the obligation as provided in Section 9-505

New Subsection (5) of Section 9-501

(5) When a secured party shall have reduced his claim to judgment the lien of any levy which may be made upon collateral by virtue of any execution based upon such judgment shall relate back to the date of the perfection of the security interest in such collateral A judicial sale pursuant to such execution is a foreclosure of the security interest by judicial procedure within the meaning of this section and the secured party may purchase at any such sale and thereafter hold the collateral free of any other requirements of this Article

Section 9-503

Section 9-503 Secured Party's Right to Take Possession After Default (1) Unless otherwise agreed a secured party has on default the right to take possession of the collateral In taking possession a secured party may proceed without judicial process if this can be done without breach of the peace If the security agreement so provides the secured party may require the debtor to assemble the collateral and make it available to the secured party at a place reasonably convenient to both parties Without removal a secured party may render equipment unusable and may dispose of collateral on the debtor's premises under Section 9-504 [A debtor may request the secured party to remove collateral from the debtor's premises after a reasonable time for its disposition has passed If the secured party fails to remove the collateral within a reasonable time after the receipt of such a request the debtor may remove and store it]

(2) If a secured party elects to proceed by process of law he may proceed by writ of replevin or otherwise

Subsection (2) of Section 9-504

(2) Disposition of the collateral may be [at] by public or private proceedings and may be made by way of one or more contracts Sale or other disposition may be as a unit or in parcels and at any time and place and on any terms but every aspect of the disposition including the method manner time place and terms must be commercially reasonable Unless collateral is perishable or threatens to decline speedily in value or is of a type customarily sold on a recognized market the secured party must give to the debtor and to any other secured party who has a security interest in the collateral to be disposed of and who has filed a financing statement in this state or is known to be such by the secured party making the disposition reasonable notification of the time and place of any public [or private sale and appropriate] sale or reasonable notification of [any] the time after which any private sale or other intended disposition is to be made Notification may be sent to address given in a financing statement if the secured party has no knowledge of different addresses The secured party may buy at any public sale and if the collateral is of a type customarily sold in a recognized market or is of a type which is the subject of widely distributed standard price quotations he may buy at private sale

New Subsection (4) of Section 9-504

(4) The transfer of collateral by a secured party to a person is liable to him under a guaranty endorsement repurchase agreement or the like is not a sale or disposition of collateral under this Article and the transferee thereafter has the rights and duties of the secured party with regard to the collateral

Section (2) of Section 9-505

(2) In any other case a secured party in possession may after default purpose to retain the collateral in satisfaction of the obligation Written notice of such proposal shall be given to the debtor and to any other secured party who has a security interest in the collateral and who has filed a financing statement in this state or is known to be such by the secured party in possession If the debtor or other person entitled to receive notification objects in writing within thirty days from receipt of the notification and causes such written objection to be delivered to the secured party the secured party must dispose of the collateral under Section 9-504 but in the absence of [such] receipt of such written objection within said thirty days the secured party may hold the collateral or dispose of it free from the requirements of this Article

Article 10

The caption first paragraph and new subsection (2) of Section 10-102

Remedies Saved (1) The following acts and parts of acts and all amendments thereof are hereby repealed to the extent hereinafter specified

Section 10-102 Specific Repealer Certain Rights and

* * *

(2) All rights interests and transactions valid prior to the effective date of the act which this act amends under any act or part of act repealed thereby shall continue to be valid until such rights interests and transactions are terminated completed or consummated To the extent necessary to effect a termination completion or consummation of any rights interests or tranactions procedures provided by any act or part of act repealed by the act which this act amends may be utilized by interested parties after the effective date of that act as though such act or part of act has not been repealed

Section 2 This act shall take effect in sixty (60) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Adam,	**Frank,**	McCormack,	Sarraf,
Agnew,	Frascella,	McGee,	Scarcelli,
Amarando,	Frost,	McLaughlin,	Schuster,
Anderson, M. S.,	**Gaffney,**	McWherter,	Sherman,
Anderson, S. A.,	**Garlock,**	**Meholchick,**	Sigman,
Auker,	Gelfand,	Metz,	Smith, C. C.,
Banker,	Gibson,	**Mihm,**	**Smith, Wm. B.,**
Barnatovich,	**Goldstein,**	Mikula,	Snider,
Bazin,	**Greenwood,**	Miller,	Stank,
Bell,	**Guss,**	Mills,	**Stebbins,**
Boles,	**Hamilton, R. K.,**	**Monroe,**	**Steckel,**
Bonner,	**Hass,**	Moody,	**Stephens,**
Boory,	**Heavey,**	Moran,	Stone,
Bower,	Hocker,	Moscrip,	Stoner,
Branca,	Holt,	Mullen,	Strausser,
Breisch,	Houk,	Munley,	Stroup,
Brennan, A. P.,	**Isaacs,**	Murphy,	**Swartz,**
Brennan, J. J.,	**Jenkins,**	**Murray, H. P.,**	Taylor,
Breth,	**Johnson,**	Murray, J. J.,	Thomas,
Bucchin,	Jones, G. E.,	Murray, P. G.,	**Thompson,**
Bullen,	Jones, T. H. W.,	Musto,	**Toll,**
Capano,	**Jump,**	Naugle,	**Toomey,**
Cianfrani,	Kamyk,	Needham,	**Varner,**
Cioffi,	Kehler,	Ogilvie,	Vaughan,
Cochran,	**Kent,**	Olsen,	Verona,
Comer,	Knecht,	**O'Neil,**	**Wall,**
Connelly,	Kolankiewicz,	Pacchioli,	Wallace,
Cooper,	Kooker,	Parry,	Walsh,
Curwood,	**Kornick,**	**Paulhamus,**	Wargo,
Donahue,	Kromer,	Petrosky,	Waterhouse,
Donaldson,	Kubacki,	Pettigrew,	Weidner,
Dougherty,	Lawyer,	Polaski,	**Welsh,**
Down,	Leiby,	**Polen,**	Wescott,
Ehrgood,	Leonard,	Price,	Wheeler,
Erb,	Leven,	**Readinger,**	**Whitenight,**
Eshleman,	Limper,	Reibman,	Williams,
Ewing,	Lopresti,	**Reidenbach,**	**Wilt,**
Farabaugh,	Lovett,	**Renwick,**	Wood,
Filo,	Lutty,	Rigby,	Yetter,
Fineman,	Markley,	Rosen,	**Yetzer,**
Flint,	Magee,	Rovansek,	**Young,**
Floyd,	Maxwell,	Royer,	Ziegler,
Flynn,	McCann,	**Rubin,**	**Andrews,**
		Rudisill,	Speaker

NAYS—14

Ashton,	Haudenshield,	Light,	**Stevenson,**
Brown,	Henzel.	Mahan,	Willaredt,
Davis,	Horst,	**Pursley,**	Worley,
Gramlich,	Leisey,		

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	**Hamilton, W. H.,**	Lafore,	Pomeroy,
Ellberg,	Helm,	**Lippincott,**	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1562, Printer's No. 607

was passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1693, as follows:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further regulating membership of the State Veterans' Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section 448 act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" amended June 6, 1945 (P. L. 1398) is amended to read

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

* * *

(b) The State Veterans' Commission shall consist of the Adjutant General ex-officio and [seven] nine members all of whom shall have served in the armed forcs of the United States while a state of war existed between the United States of America and another sovereign power and shall be members in good and regular standing of a Pennsylvania branch post lodge or club of a recognized national veterans' organization active in this Commonwealth

The Governor upon recommendation of the Adjutant General shall declare a vacancy to exist whenever any member shall fail to attend three consecutive meetings and shall fill the vacancy for the unexpired term

Three members of the nine shall be considered members-at-large and shall be approved by the Governor and appointed for terms of four years

Five members of the commission shall constitute a quorum

The commission shall select from its number a chairman and a secretary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Markley,	Sarraf,
Agnew,	Frost,	Maxwell,	Scarcelli,
Amarando,	Gaffney,	McCann,	Schuster,
Anderson, M. S.,	Garlock,	McCormack,	Sherman,
Anderson, S. A.,	Gelfand,	McGee,	Sigman,
Ashton,	Gibson,	McLaughlin,	Smith, C. C.,
Auker,	Goldstein,	McWherter,	Smith, Wm. B.,
Banker,	Gramlich,	Meholchick,	Snider,
Barnatovich,	Greenwood,	Metz,	Stank,
Bazin,	Guss,	Mihm,	Stebbins,
Bell,	Hamilton, R. K.,	Mikula,	Steckel,
Boles,	Hass,	Miller,	Stephens,
Bonner,	Haudenshield,	Mills,	Stevenson,
Boory,	Heavey,	Monroe,	Stone,
Bower,	Henzel,	Moody,	Stoner,
Branca,	Hocker,	Moran,	Strausser,
Breisch,	Holt,	Moscrip,	Stroup,
Brennan, A. P.,	Horst,	Mullen,	Swartz,
Brennan, J. J.,	Houk,	Munley,	Taylor,
Breth,	Isaacs,	Murphy,	Thomas,
Brown,	Jenkins,	Murray, H. P.,	Thompson,
Bucchin,	Johnson,	Murray, J. J.,	Toll,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toomey,
Capano,	Jones, T. H. W.,	Musto,	Varner,
Cianfrani,	Jump,	Naugle,	Vaughan,
Cioffi,	Kamyk,	Needham,	Verona,
Cochran,	Kehler,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Knecht,	O'Neil,	Walsh,
Cooper,	Kolankiewicz,	Pacchioli,	Wargo,
Curwood,	Kooker,	Parry,	Waterhouse,
Davis,	Kornick,	Paulhamus,	Weidner,
Donahue,	Kromer,	Petrosky,	Welsh,
Donaldson,	Kubacki,	Pettigrew,	Wescott,
Dougherty,	Lawyer,	Polaski,	Wheeler,
Down,	Leiby,	Polen,	Whitenight,
Ehrgood,	Leisey,	Price,	Willaredt,
Erb,	Leonard,	Pursley,	Williams,
Eshleman,	Leven,	Readinger,	Wilt,
Ewing,	Light,	Reibman,	Wood,
Farabaugh,	Limper,	Reidenbach,	Worley,
Filo,	Lopresti,	Renwick,	Yetter,
Fineman,	Lovett,	Rigby,	Yetzer,
Flint,	Lutty,	Rosen,	Young,
Floyd,	Magee,	Rovansek,	Ziegler,
Flynn,	Mahan,	Royer,	Andrews,
Frank,		Rubin,	Speaker
		Rudisill,	

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Ellberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1695, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" increasing the jurisdiction of magistrates of the municipal traffic court in cities of the second class

On the question,

Will the House agree to the bill on third reading?

Mr. GOLDSTEIN. Mr. Speaker, will one of the sponsors of this bill consent to be interrogated?

The SPEAKER. Will the gentleman from Allegheny, Mr. Sarraf permit himself to be interrogated?

Mr. SARRAF. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, as I read this bill it provides that the Magistrate of the Municipal Court of Pittsburgh shall have jurisdiction over any person 16 years of age or over, who has committed a summary con-

viction, or a felony, or misdemeanor, under the Motor Vehicle Code.

I think I understand the purpose of the proposed act is to give the Traffic Court of the city of Pittsburgh jurisdiction over youngsters between 16 and 18 who get traffic tags, but unfortunately this bill has been drawn up in such a way that if a boy between 16 and 18 were charged with driving an automobile without the owner's consent, defacing an automobile, or committing any other violation, or misdemeanor, or felony, under the Motor Vehicle Code it would mean that the youngster in Pittsburgh would be subject to the jurisdiction of Traffic Court instead of Juvenile Court. I am certain this is not the purpose of this bill. If Dr. Sarraf agrees with me, it should be recommitted for the purpose of further study.

Mr. SARRAF. Mr. Speaker, if that is true, I would much rather just pass the bill over and save the time of the House.

BILL PASSED OVER

There being no objection

House Bill No. 1695, Printer's No. 950

was passed over at the request of Mr. SARRAF.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1707, as follows:

An Act amending the act of June 21 1939 (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" changing the time for valuation or assessment of new buildings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 8.1 and 13 act of June 21 1939 (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" amended June 25 1947 (P. L. 954) are amended to read

Section 8.1 No [new building in the process of construction shall be valued or assessed for any purpose until the expiration of one year from the date the construction of the new building was begun or the date of issuance of the building permit covering such building where such permit is required and no] land assessed as acreage or unimproved property which is subsequently laid out in lots and the plan of such lots is recorded shall be assessed in excess of the total assessment of the land as acreage or unimproved property for a period of three years after the recording of such plan or until such time as the lots are actually sold or improved with permanent construction whichever period is the shorter Each such lot as sold shall be subject to reassessment beginning with the date of such sale and new construction begun thereon shall be subject to reassessment as provided above

Section 13 The proper assessors shall between the triennial assessments revise any assessment or valuation according to right and equity by correcting errors and by adding thereto any property or subjects of taxation which may have been omitted or any new property or subjects of taxation which may have come into being since the last triennial assessment

They shall also add thereto the names of any persons who may have moved into such district and strike therefrom the names of any persons who have removed from such districts since the last triennial assessment

The proper assessors shall also revise assessments and valuations between the triennial assessments by increasing or decreasing the same where the value of the property or subjects of taxation assessed or valued has changed by reasons of any change of conditions thereon or adjacent thereto or in the vicinity thereof or for the reason that the property assessed or valued has been subdivided or laid out into a plan of lots or other subdivisions or for the reason that improvements have been placed thereon or added thereto or for the reason that any public or other improvement has been made adjacent thereto or in the vicinity thereof or for the reason that the assessor and the majority of the board decides that the assessor erred in the value which he placed on the property or subjects of taxation when making the triennial assessment or where for any other reason whatsoever the value of the property has changed and it seems to the board necessary and equitable to make a change in the valuation thereof The assessors shall also between the triennial assessments in all cases where it is apparent that any assessment is not in accord with the generality or uniform standard of assessments revise and correct the same by increasing or decreasing the same where the value of the property or subjects of taxation assessed do not conform to the generality or uniform standard of assessments

No [new building in the process of construction shall be valued or assessed for any purpose until the expiration of six months from the date the construction of the new building was begun or the date of issuance of the building permit covering such building where such permit is required and no] land assessed as acreage or unimproved property which is subsequently laid out in lots and the plan of such lots is recorded shall be assessed in excess of the total assessment of the land as acreage or unimproved property for a period of three years after the recording of such plan or until such time as the lots are actually sold or improved with permanent construction which ever period is the shorter Each such lot as sold shall be subject to reassessment beginning with the date of such sale and new construction begun thereon shall be subject to reassessment as provided above

All assessments required to be made by the proper assessors in the year between the triennial assessment shall be returned to the board not later than the first Monday of September of the year preceding the one for which it is made

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—144

Adam,	Floyd,	McGee,	Sarraf,
Agnew,	Flynn,	McLaughlin,	Scarcelli,
Amarando,	Frank,	McWherter,	Schuster,
Anderson, M. S.,	Frascella,	Meholchick,	Sherman,
Anderson, S. A.,	Frost,	Metz,	Sigman,
Auker,	Gaffney,	Mihm,	Smith, Wm. B.,
Barnatovich,	Garlock,	Mikula,	Snider,
Bazin,	Gelfand,	Miller,	Stank,
Bell,	Gibson,	Mills,	Stebbins,
Boles,	Greenwood,	Monroe,	Stephens,
Bonner,	Guss,	Moody,	Stone,
Boory,	Hamilton, R. K.,	Moran,	Stoner,
Bower,	Hass,	Moscrip,	Swartz,
Branca,	Heavey,	Mullen,	Taylor,
Breisch,	Holt,	Munley,	Thomas,
Brennan, A. P.,	Jenkins,	Murray, J. J.,	Thompson,
Brennan, J. J.,	Jones, G. E.,	Murray, P. G.,	Toll,
Breth,	Jones, T. H. W.,	Musto,	Varner,
Bucchin,	Kamyk,	Needham,	Vaughan,

Capano,	Kehler,	Olsen,	Verona,
Cianfrani,	Knecht,	O'Neill,	Wall,
Cioffi,	Kolankiewicz,	Pacchioli,	Wallace,
Cochran,	Kornick,	Paulhamus,	Walsh,
Comer,	Kromer,	Petrosky,	Wargo,
Connelly,	Kubacki,	Pettigrew,	Weidner,
Cooper,	Lawyer,	Polaski,	Welsh,
Curwood,	Leiby,	Polen,	Wescott,
Donaldson,	Leonard,	Readinger,	Wheeler,
Dougherty,	Leven,	Reibman,	Whitenight,
Down,	Limper,	Reidenbach,	Williams,
Ehrgood,	Lopresti,	Renwick,	Wilt,
Eshleman,	Lovett,	Rosen,	Wood,
Farabaugh,	Lutty,	Rovansek,	Yetter,
Filo,	Maxwell,	Royer,	Yetzer,
Fineman,	McCann,	Rubin,	Young,
Flint,	McCormack,	Rudisill,	Andrews, Speaker

NAYS—43

Ashton,	Henzel,	Magee,	Smith, C. C.,
Banker,	Hocker,	Mahan,	Steckel,
Brown,	Horst,	Markley,	Stevenson,
Bullen,	Houk,	Murphy,	Strausser,
Davis,	Isaacs,	Murray, H. P.,	Stroup,
Donahue,	Johnson,	Naugle,	Toomey,
Erb,	Jump,	Ogilvie,	Waterhouse,
Ewing,	Kent,	Parry,	Willaredt,
Goldstein,	Kooker,	Price,	Worley,
Gramlich,	Leisey,	Pursley,	Ziegler,
Haudenshield,	Light,	Rigby,	

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Filberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1722, as follows:

An Act amending the act of May 15 1933 (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating changes of places of business and establishment of branches

The General Assembly of the Comomnwealth of Pennsylvania hereby enacts as follows

Section 203 Place of Business Change of Place of Busiknown as the "Banking Code" amended April 22 1937 (P. L. 349) is amended to read

Section 203 Place of Business Change of Place of Business A Except as herein otherwise provided an institution shall not transact any banking or trust business except in the case of an incorporated institution at the place or places heretofore designated in its articles and such other places as are hereafter approved as branches in the manner provided in this act and in the case of a private bank at the place or places the address or addresses of which are filed with the Department of Banking

B An institution may in the case of an incorporated institution with the prior written approval of the department and in the regular manner provided by this act for an amendment to its articles and in the case of a private bank with the prior written approval of the department change its principal place of business (1) within the city borough or township in which its principal place of business is located or (2) with the prior approval of the department and the Banking Board to any city borough or township either within the county of its principal place of business or in a county contiguous to the county of its principal place of business [subject however to the same limitations and requirements as are by this act prescribed in the case of the establishment of a branch in such city borough or township]

Any change of the principal place of business of an institution shall automatically terminate its right to maintain and operate any branch located or authorized by the articles of incorporation or otherwise to be located in a county which is not contiguous to the county in which the principal place of business is to be located

Except in the case of any change of the principal place of business within the same city borough or township an institution shall not change its principal place of business unless in the case of a bank bank and trust company or trust company its unimpaired capital is at least equal to the minimum capital required by this act for the incorporation of a bank bank and trust company or trust company as the case may be in the proposed city borough or township and in case branches are maintained and operated or are authorized by its articles of incorporation or otherwise to be maintained and operated unless it has such additional amounts of capital and surplus as are required by this act for the establishment of branches and in the case of a savings bank unless its surplus equals a minimum amount approved by the department and in the case of a private bank unless its net worth equals a minimum amount approved by the department

An institution may change the place of business of any of its branches subject to the same requirements and limitations as are by this act prescribed in the case of the establishment of branches

C A private bank which upon the effective date of this act lawfully maintains one or more offices or places of business in any other state or foreign country may continue to maintain and operate any such offices or places of business and do and perform all such acts and make all such loans discounts and investments at such offices or places of business as are permitted or required under the laws of such other state or foreign country subject to such restrictions or limitations as may be imposed by the laws of such other state or foreign country

D However an institution may with the prior written approval of and for the period fixed by the department change its place of business to permit of the alteration or improvement of the premises at the time occupied by it

Section 2 Section 204 of the act and its amendments are repealed

Section 3 The act is amended by adding after section 203 a new section to read

Section 204.1 Branches A Any institution may continue to maintain and operate any branch heretofore lawfully established by such institution

If an institution is hereafter merged or consolidated with another institution or national banking association the surviving institution in case of merger or the newly consolidated institution with the approval of the department with respect to any such institutions or national banking associations may retain and operate as branches any of their principal places of business and branches

which may have been in lawful operation in the same county or in a county contiguous to the county in which the principal place of business of the institution resulting from the merger or consolidation is located on the effective date of such merger or consolidation If any national banking association shall convert into an institution all of its branches in operation in the same county or in a county contiguous to the county in which the principal place of business of the institution resulting from the conversion is located on the date of such conversion with the approval of the department may be continued in lawful operation

B Any institution pursuant to a resolution of its board of directors its trustees or in the case of a private bank its owners or board of managers may establish and maintain branches (1) with the prior written approval of the department in the same city borough or village in which the principal place of business of the institution proposing to take such action is located and (2) with the approval of the department and the Banking Board in any other city borough or village or any place in a township other than a village located in the same county or in a county contiguous to the county in which the principal place of business of the institution proposing to take such action is located No such branches shall be established unless the institution has the capital and surplus required by this section

The request for the department's written approval of the establishment and maintenance of the one or more new branches authorized by resolution of its board of directors its trustees or in the case of a private bank its owners or board of managers shall be set forth in an application in such form and containing such other information as the department may require and such application shall be accompanied by such reasonable fee as the department with the approval of the Banking Board may prescribe

When an institution files an application for the establishment of a branch in the same city borough or village in which its principal place of business is located the department if it finds upon investigation that there is a need for banking services or facilities such as are contemplated by the establishment of such branch and that all other requirements of this section have been met shall approve the application and issue a letter of authority to the applicant institution

Should the department find after the investigation above provided for that the institution has not met the requirements of this section governing the application for the establishment of a branch or should it find that there is not a need for banking services or facilities such as are contemplated by the establishment of such branch it shall disapprove the application and return the same to the institution with a statement of its reasons for doing so The fee paid by the applicant bank shall be retained by the department

When an institution files an application for the establishment of a branch to be located in any place outside the city borough or village where the principal place of business of the institution proposing to establish such branch is located it shall immediately notify by registered mail return receipt requested each other institution whose principal place of business is in the county in which the proposed branch is to be located Within sixty days of the receipt of such application the department if it finds upon investigation that there is a need for banking services or facilities such as are contemplated by the establishment of such branch and that all requirements of this section have been complied with shall approve such application and forward it to the Banking Board for review The department in its sole discretion may disapprove an application the effect of which is to establish a branch in a county contiguous to the county in which the principal place of business of the incorporated institution proposing to establish such branch is located if an incorporated institution having its principal place of business in the county in which the proposed branch is to be located has in good faith notified the department of its intention to establish a branch in the same city borough or village in which such proposed branch is to be located The Banking Board after such additional investigation or hearing as it may deem advisable shall either approve or disapprove the action of the department and shall return the application to the department with notice of its decision and in case of disapproval with a statement of its reasons for doing so The decision of the Banking Board shall be binding upon the department

Immediately upon receipt of the application from the Banking Board the department on the basis of the decision of the Banking Board shall either approve or disapprove it in the same manner as provided for under this section for branches subject only to approval of the department

C A branch may be established in the same city borough or village where the principal place of business of an institution is located if the institution has minimum capital and surplus required under the provisions of section 401 for the same type or class of institution For each branch located outside such city borough or village it shall have or provide the following additional capital and surplus

Banks	Capital	Surplus
City Borough or Village with a population of less than 5,000 or any place in a township other than a village	$25,000	$12,500
City Borough or Village with a population of less than 6,000	50,000	25,000
City Borough or Village with a population of 6,000 to 50,000	100,000	50,000
City or Borough with a population of over 50,000	200,000	100,000
Bank and Trust Company—Trust Company Capital Surplus City Borough or Village with a population of less than 5,000 or any place in a township other than a village	75,000	37,500
City Borough or Village with a population of less than 6,000	150,000	75,000
City Borough or Village with a population of 6,000 to 50,000	200,000	100,000
City or Borough with a population of over 50,000	300,000	150,000
Savings Banks		
Such minimum surplus as the department requires		
Private Banks		
Such minimum net worth as the department requires		

For the purpose of this subsection the population of a city borough or village shall be taken to be that stated in the United States Census the report of any governmental agency or any banking publication of State-wide or National scope last preceding the date of the filing of the application to establish a branch

D With the prior written approval of the department an institution pursuant to a resolution of its board of directors its trustees or in the case of a private bank its owners or board of managers may discontinue the operation of any branch if public notice thereof is given in such manner as the department directs at least ninety days before the date of discontinuance

E Upon the failure of an institution to open and operate a branch within six months after the approval of its application the right of an institution to establish such branch will terminate unless the department for good cause on written application made prior to the expiration of the six months period shall extend for additional periods not in excess of six months each the time within which the branch may be opened

F Upon the opening or discontinuance of any branch the institution shall certify such fact to the department in such form as the department shall prescribe Upon receipt and approval by the department of the certificate the department shall send a copy of the certificate to the Department of State for filing wih the corporate records of the institution

Section 4 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Steckel,
Boles,	Hamilton, R. K.,	Miller,	Stebbins,
Bonner,	Hass,	Mills,	Stephens,
Boory,	Haudenshield,	Monroe,	Stevenson,
Bower,	Heavey,	Moody,	Stone,
Branca,	Henzel,	Moran,	Stoner,
Breisch,	Hocker,	Moscrip,	Strausser,
Brennan, A. P.,	Holt,	Mullen,	Stroup,
Brennan, J. J.,	Horst,	Munley,	Swartz,
Bell,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Yetter,
Filo,	Lopresti,	Rigby,	Yetzer,
Fineman,	Lovett,	Rosen,	Young,
Flint,	Lutty,	Rovansek,	Ziegler,
Floyd,	Magee,	Royer,	Andrews,
Flynn,	Mahan,	Rubin,	Speaker
Frank,	Markley,	Rudisill,	

NAYS—1

Worley,

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1737, as follows:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes probihiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" regulating the establishment of places of business and changes in the places of business and the establishment and maintenance of branches

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 203 and 204 act of May 5, 1933 (P. L. 457) known as the "Building and Loan Code" and their amendments are repealed

Section 2 The act is amended by adding after section 202 two new sections to read

Section 203 Place of Business Change of Place of Business Collection Agencies A Except as otherwise provided in this section an association shall not transact any of its business except at (1) the place heretofore designated in its by-laws as its principal office (2) such other places heretofore designated in its articles as branches (3) such other places as are hereafter approved as branches in the manner provided in this act Within the meaning of this section shareholders meetings shall not be construed to be the transaction of business

B An association with the prior written approval of the department and thereafter by an amendment to its by-laws may change its principal place of business within the same city borough or township in which its principal place of business is located With the prior approval of the department and the Building and Loan Board and thereafter by an amendment to its articles in the regular manner provided by this act it may also change its principal place of business to any city borough or township in the same county of its principal place of business or in a county contiguous to the county of its principal place of business

C In the event a place of business designated in the by-laws becomes unavailable an association with the prior written approval and for a period fixed by the department may temporarily change its place of business to another place specified by the board of directors within the same city borough or township

D Any association which prior to January 1, 1954 had authorized any corporation or person to collect dues interest premiums and fines in any city borough or township in the Commonwealth other than a place of business of the association permitted by the act which this act amends and in the case of merger or consolidation a surviving association may continue to collect dues interest premiums and fines in any such communities through any such corporations or persons and may appoint successors in their stead in any city borough or township in the Commonwealth

A Federal savings and loan association which hereafter converts into an association in accordance with this act may continue to operate such collection agencies which it had in lawful operation on the date of its conversion

Section 204 Branches A Any association may continue to maintain and operate any branch heretofore lawfully established by such association

If an association is hereafter merged or consolidated with another association or Federal savings and loan association the surviving association in case of merger or the newly consolidated association with the approval of the department with respect to any such associations or Federal savings and loan associations may retain and operate as branches any of their principal places of business and branches which may have been in lawful operation in the same county or in a county contiguous to the county in which the principal place of business of the association resulting from the merger or consolidation is located on the effective date of such merger or consolidation If any Federal savings and loan association shall convert into an association all of its branches in operation in the same county or in a county contiguous to the county in which the principal place of business of the

association resulting from the conversion is located on the date of such conversion with the approval of the department may be continued in lawful operation

B Any association pursuant to a resolution of its board of directors may establish and maintain branches with the prior approval of the department and the Building and Loan Board in any city borough or township located in the same county or in a county contiguous to the county in which the principal place of business of the association proposing to take such action is located No such branches shall be established unless the association or the resulting association after a merger consolidation or conversion has aggregate assets of at least one million dollars and aggregate reserves and undivided profits equal to at least five per centum thereof

The request for the approval of the establishment and maintenance of the one or more new branches authorized by resolution of its board of directors shall be set forth in an application in such form and containing such other information as the department may require and such application shall be accompanied by such reasonable fee as the department with the approval of the Building and Loan Board may prescribe

An association proposing to establish a branch within any city borough or township either in the same county or in a county contiguous to the county in which the principal place of business is located shall file its application with the department and upon the filing thereof the association where the proposed branch is to be located in a city borough or township other than the city borough or township where the principal place of business of the association proposing to establish such branch is located shall immediately notify by registered mail return receipt requested each other association whose principal place of business is in the county in which the proposed branch is to be located Within sixty days of the receipt of such application the department if it finds upon investigation that there is a need for services or facilities such as are contemplated by the establishment of such branch and that all requirements of this section have been complied with shall approve such application and forward it to the Building and Loan Board for review provided that the department in its sole discretion may disapprove an application the effect of which is to establish a branch in a county contiguous to the county in which the principal place of business of the association proposing to establish such branch is located if an association having its principal place of business in the county in which the proposed branch is to be located has in good faith notified the department of its intention to establish a branch in the same city borough or township in which such proposed branch is to be located The Building and Loan Board after such additional investigation or hearing as it may deem advisable shall either approve or disapprove the action of the department and shall return the application to the department with notice of its decision and in case of disapproval with a statement of its reasons for doing so The decision of the Building and Loan Board shall be binding upon the department

Immediately upon receipt of the application from the Building and Loan Board the Department of Banking on the basis of the decision of the Building and Loan Board shall either approve or disapprove the same In case of approval the department shall issue a letter of authority to the applicant association In case of disapproval the department shall so notify the applicant association

C With the prior written approval of the department an association pursuant to a resolution of its board of directors may discontinue the operation of any branch provided public notice thereof is given in such manner as the department directs at least ninety days before the date of discontinuance

D Upon the failure of an association to open and operate a branch within six months after the approval of its application the right of an association to establish such branch will terminate unless the department for good cause on written application made prior to the expiration of the six months period shall extend for additional periods not in excess of six months each the time within which the branch may be opened

E Upon the opening or discontinuance of any branch the association shall certify such fact to the department in such form as the department shall prescribe Upon receipt and approval by the department of such certificate the department shall send a copy of it to the Department of State for filing with the corporate records of the association

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli
Auker,	Gaffney,	McCormack,	Schuster,
Amarando,	Garlock,	McGee,	Sherman,
Anderson, M. S.,	Gelfand,	McLaughlin,	Sigman,
Anderson, S. A.,	Gibson,	McWherter,	Smith, C. C.,
Ashton,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boies,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Yetter,
Filo,	Lopresti,	Rigby,	Yetzer,
Fineman,	Lovett,	Rosen,	Young,
Flint,	Luttv.	Rovansek,	Ziegler,
Floyd,	Magee,	Royer,	Andrews,
Flynn,	Mahan,	Rubin,	Speaker
Frank,	Markley,	Rudisill,	

NAYS—1

Worley,

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1747, as follows:

An Act to further amend clause (a) of section five hundred ten of the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making an editorial correction and changing the time for beginning use of registration plates for certain vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section 510 of the act of May 1, 1929 (P. L. 905) known as the Vehicle Code as last amended by the act of January 18, 1952 (P. L. 2163 Session of 1951) is hereby amended to read as follows

Section 510 The Expiration of Registration Plates

(a) All registration plates shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following Provided That all registration plates for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers for the registration year one thousand nine hundred fifty-three shall expire May thirty-first one thousand nine hundred fifty-four Commencing with the registration year one thousand nine hundred fifty-four and thereafter registration plate for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers shall be issued for a registration year commencing on June first of one year and expiring May thirty-first of the year following Registration plates shall also expire when suspended for cause by the secretary The registration plate or plates for [the succeeding] a registration year may at the option of the owner be used on and after the fifteenth day of the month immediately preceding the beginning of [the current] such registration year provided that such plate or plates may be so used on and after the first day of the month immediately preceding the beginning of the registration year if the vehicle is a trailer or semi-trailer which was also registered for the immediately preceding registration year

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determind in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrnce.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1749, as follows:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties

providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" requiring the submission of a certain certificate by certain applicants requiring admission or release reports on certain persons by certain superintendents or medical directors or other competent authorities and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of May 1, 1929 (P. L. 905) known as "The Vehicle Code" is amended by adding after section 601 a new section to read

Section 601.1 Certain Applicants to Submit Certificate of Competency No applicant shall be issued an operator's license or learner's permit to operate a motor vehicle or tractor upon a highway in this Commonwealth who has been released from any State or private institution or released from any hospital or home where he has been given care and treatment as an idiot narcotic addict imbecile insane feebleminded or epileptic patient unless his application is accompanied by a certificate prepared by the superintendent or medical director of such institution hospital or home that the discharged applicant in the opinion of the competent authority is capable of operating a motor vehicle or tractor nor then if the secretary or his agents upon examining of the applicant finds that such applicant is not competent to operate a motor vehicle or tractor with safety to persons and property

Section 2 The act is amended by adding after section 604 a new section to read

Section 604.1 Reports Required on Certain Licensed Operators by Superintendents Medical Directors or Other Competent Authority Every superintendent or medical director or other competent authority of a State or private institution hospital or home which provides for the care and treatment of patients who are idiots narcotic addicts imbeciles insane feeble-minded or epileptics shall within forty-eight hours after the admission of such patient and within forty-eight hours after the release of such patient if the patient admitted or released is or has been a person licensed to operate a motor vehicle or tractor upon a highway of this Commonwealth submit a report to the Secretary of Revenue The admission or release report shall contain the name and address of the patient his operator plate number a statement as to whether in the opinion of the competent authority the patient is capable or incapable of operating a motor vehicle or tractor with safety to persons and property and any other information the secretary may direct In addition the superintendent or medical director or other competent authority shall upon the release of and request by the discharged patient give the patient a certificate containing therein a statement whether in the opinion of the competent authority the released patient is capable or incapable of operating a motor vehicle or tractor upon the highways with safety to persons and property

Penalty Any person violating the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	**Gaffney,**	McCormack,	**Schuster,**
Anderson, M. S.,	**Garlock,**	McGee,	Sherman,
Anderson, S. A.,	**Gelfand,**	McLaughlin,	**Sigman,**
Ashton,	**Gibson,**	McWherter,	Smith, C. C.,
Auker,	Goldstein,	**Meholchick,**	**Smith, Wm. B.,**
Banker,	**Gramlich,**	Metz,	Snider,
Barnatovich,	**Greenwood,**	**Mihm,**	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boies,	**Hass,**	Mills,	Stephens,
Bonner,	Haudenshield,	**Monroe,**	**Stevenson,**
Boory,	**Heavey,**	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	**Hocker,**	Moscrip,	Strausser,
Breisch,	**Holt,**	Mullen,	Stroup,
Brennan, A. P.,	**Horst,**	Munley,	**Swartz,**
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	**Isaacs,**	**Murray, H. P.,**	Thomas,
Brown,	**Jenkins,**	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	**Jump,**	Needham,	Vaughan,
Cioffi,	**Kamyk,**	Ogilvie,	Verona,
Cochran,	Kehler,	**Olsen,**	Wall,
Comer,	Kent,	O'Neil,	**Wallace,**
Connelly,	Knecht,	Pacchioli,	**Walsh,**
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	**Kornick,**	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	**Welsh,**
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	**Polen,**	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	**Renwick,**	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	**Lutty,**	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	**Rudisill,**	Speaker

NAYS—0

NOT VOTING—23

Blair,	**Guthrie,**	**Kratz,**	Pashley,
Brenninger,	**Hamilton, W. H.,**	**Lafore,**	Pomeroy,
Eilberg,	**Helm,**	**Lippincott,**	Spencer,
Foster,	Hewitt,	McInroy,	**Tompkins,**
George,	Keller,	McKeever,	**Varallo,**
Gibb,	**Kline,**	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determind in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrnce.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1750, entitled:

An Act amending the act of August 9 1955 (P. L. Act No. 130) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" providing for appeals to courts of common pleas from the decsions of salary board

Mr. AUKER. Since we are more or less working now under a consent calendar, I would suggest this bill go over in order.

The SPEAKER. We are proceeding on the basis that there are no objections. If there are objections, this bill will go over in order. We would ask the members who object to the consideration of bills to clear with their Floor Leaders so that the Floor Leaders can mark the Chair's calendar. There has to be some recognition of what is agreed upon and what is not agreed upon, other-

wise we get into difficulties. The Chair is entitled to know what is agreed upon and what is not.

BILL PASSED OVER

There being no objection

House Bill No. 1750, Printer's No. 1013

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1763, as follows:

An Act amending the act of May 4 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" extending the time for payment on purchases of borough property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1201 act of May 4 1927 (P. L. 519) known as "The Borough Code" reenacted revised amended and consolidated July 10 1947 (P. L. 1621) and amended September 26 1951 (P. L. 1513) is amended to read

Section 1201 General Powers A borough may

I Have succession perpetually by its corporate name

II Sue and be sued and complain and defend in the courts of the Commnowealth

III Make and use a common seal and alter the same at pleasure

IV Purchase acquire by gift or otherwise hold lease let and convey by sale or lease such real and personal property as shall be deemed to be to the best interest of the borough Provided That no real estate owned by the borough shall be sold for a consideration in excess of five hundred dollars except to the highest bidder after due notice by advertisement for bids in one newspaper of the county Such advertisement shall be published not less than ten days prior to the date fixed for the opening of bids and such date for opening bids shall be announced in such advertisement The acceptance of bids shall be made only by public announcement at the meeting at which bids are received All bids shall be accepted on the condition that payment of the purchase price in full shall be made within [ten] thirty days of the acceptance of bids

No borough personal property shall be disposed of by sale or otherwise except upon approval of council by ordinance or resolution In cases where council shall approve a sale of such property it shall estimate the sale value of the entire lot to be disposed of If council shall estimate the sale value to be two hundred dollars or more the entire lot shall be advertised for sale once in at least one newspaper of the county not less than ten days prior to the date fixed for the opening of bids and such date for opening bids shall be announced in such advertisement and sale of the property so advertised shall be made to the best responsible bidder

The provisions of this clause shall not be mandatory where borough property is to be traded in or exchanged for new borough property

The provisions of this clause requiring advertising for bids and sale to the highest bidder shall not apply where borough real or personal property is to be sold to a municipal authority pursuant to the Municipality Authorities Act of 1945

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	**Frascella,**	**Maxwell,**	**Sarraf,**
Agnew,	**Frost,**	**McCann,**	**Scarcelli,**
Amarando,	**Gaffney,**	**McCormack,**	**Schuster,**
Anderson, M. S.,	**Garlock,**	**McGee,**	**Sherman,**
Anderson, S. A.,	**Gelfand,**	**McLaughlin,**	**Sigman,**
Ashton,	**Gibson,**	**McWherter,**	**Smith, C. C.,**
Auker,	**Goldstein,**	**Meholchick,**	**Smith, Wm. B.,**
Banker,	**Gramlich,**	**Metz,**	**Snider,**
Barnatovich,	**Greenwood,**	**Mihm,**	**Stank,**
Bazin,	**Guss,**	**Mikula,**	**Stebbins,**
Bell,	**Hamilton, R. K.,**	**Miller,**	**Steckel,**
Boies,	**Hass,**	**Mills,**	**Stephens,**
Bonner,	**Haudenshield,**	**Monroe,**	**Stevenson,**
Boory,	**Heavey,**	**Moody,**	**Stone,**
Bower,	**Henzel,**	**Moran,**	**Stoner,**
Branca,	**Hocker,**	**Moscrip,**	**Strausser,**
Breisch,	**Holt,**	**Mullen,**	**Stroup,**
Brennan, A. P.,	**Horst,**	**Munley,**	**Swartz,**
Brennan, J. J.,	**Houk,**	**Murphy,**	**Taylor,**
Breth,	**Isaacs,**	**Murray, H. P.,**	**Thomas,**
Brown,	**Jenkins,**	**Murray, J. J.,**	**Thompson,**
Bucchin,	**Johnson,**	**Murray, P. G.,**	**Toll,**
Bullen,	**Jones, G. E.,**	**Musto,**	**Toomey,**
Capano,	**Jones, T. H. W.,**	**Naugle,**	**Varner,**
Cianfrani,	**Jump,**	**Needham,**	**Vaughan,**
Cioffi,	**Kamyk,**	**Ogilvie,**	**Verona,**
Cochran,	**Kehler,**	**Olsen,**	**Wall,**
Comer,	**Kent,**	**O'Neil,**	**Wallace,**
Connelly,	**Knecht,**	**Pacchioli,**	**Walsh,**
Cooper,	**Kolankiewicz,**	**Parry,**	**Wargo,**
Curwood,	**Kooker,**	**Paulhamus,**	**Waterhouse,**
Davis,	**Kornick,**	**Petrosky,**	**Weidner,**
Donahue,	**Kromer,**	**Pettigrew,**	**Welsh,**
Donaldson,	**Kubacki,**	**Polaski,**	**Wescott,**
Dougherty,	**Lawyer,**	**Polen,**	**Wheeler,**
Down,	**Leiby,**	**Price,**	**Whitenight,**
Ehrgood,	**Leisey,**	**Pursley,**	**Willaredt,**
Erb,	**Leonard,**	**Readinger,**	**Williams,**
Eshleman,	**Leven,**	**Reibman,**	**Wilt,**
Ewing,	**Light,**	**Reidenbach,**	**Wood,**
Farabaugh,	**Limper,**	**Renwick,**	**Worley,**
Filo,	**Lopresti,**	**Rigby,**	**Yetter,**
Fineman,	**Lovett,**	**Rosen,**	**Yetzer,**
Flint,	**Lutty,**	**Rovansek,**	**Young,**
Floyd,	**Magee,**	**Royer,**	**Ziegler,**
Flynn,	**Mahan,**	**Rubin,**	**Andrews,**
Frank,	**Markley,**	**Rudisill,**	**Speaker**

NAYS—0

NOT VOTING—23

Blair,	**Guthrie,**	**Kratz,**	**Pashley,**
Brenninger,	**Hamilton, W. H.,**	**Lafore,**	**Pomeroy,**
Eilberg,	**Helm,**	**Lippincott,**	**Spencer,**
Foster,	**Hewitt,**	**McInroy,**	**Tompkins,**
George,	**Keller,**	**McKeever,**	**Varallo,**
Gibb,	**Kline,**	**Muldowney,**	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1769, Printer's No. 1014

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1773, entitled:

An Act further amending the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the

Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" making certain information regarding refunds available for public inspection changing certain provisions as to the imposition and remission of penalties and granting of refunds and clarifying provisions as to settlements

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 503 (a)) page 3, line 18, by inserting after the word "therefor" and before the word "shall", the following: " and a list of the names and final amounts of any such refunds or credits in excess of two hundred dollars ($200.00) hereafter granted to any persons or corporations."

Amend Section 2 (Section 731), page 10, line 11, by inserting after the word "the" and before the word "corporation", the following: "persons or."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1779, as follows:

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and interinsurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by continuing the provisions of that section in effect for a further period

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as last amended by the act approved the second day of July one thousand nine hundred fifty-three (P. L. 330) is hereby further amended to read as follow

Section 211.1 Assessments to Defray Expenses of Committee on Valuation of Securities of the National Association of Insurance Commissioners

* * *

(f) This section shall become effective the first day of June one thousand nine hundred forty-nine and shall continue in effect until and including the thirty-first day of May one thousand nine hundred [fifty-five] fifty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	**Garlock,**	McGee,	Sherman,
Anderson, S. A.,	**Gelfand,**	McLaughlin,	Sigman,
Ashton,	**Gibson,**	McWherter,	Smith, C. C.,
Auker,	Goldstein,	**Meholchick,**	Smith, Wm. B.,
Banker,	**Gramlich,**	Metz,	Snider,
Barnatovich,	**Greenwood,**	**Mihm,**	**Stank,**
Bazin,	**Guss,**	Mikula,	**Stebbins,**
Bell,	**Hamilton, R. K.,**	Miller,	Steckel,
Boies,	Hass,	**Mills,**	**Stephens,**
Bonner,	**Haudenshield,**	Monroe,	**Stevenson,**
Boory,	**Heavey,**	Moody,	Stone,
Bower,	**Henzel,**	Moran,	Stoner,
Branca,	**Hocker,**	Moscrip,	Strausser,
Breisch,	**Holt,**	Mullen,	Stroup,
Brennan, A. P.,	**Horst,**	Munley,	**Swartz,**
Brennan, J. J.,	**Houk,**	Murphy,	**Taylor,**
Breth,	**Isaacs,**	**Murray, H. P.,**	Thomas,
Brown,	**Jenkins,**	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	**Musto,**	**Toomey,**
Capano,	Jones, T. H. W.,	Needham,	Varner,
Cianfrani,	**Jump,**	**Ogilvie,**	Vaughan,
Cioffi,	**Kamyk,**	**Naugle,**	Verona,
Cochran,	**Kehler,**	**Olsen,**	Wall,
Comer,	**Kent,**	O'Neil,	Walsh,
Connelly,	Knecht,	Pacchioli,	Wallace,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	**Kornick,**	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	**Welsh,**
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	**Polen,**	Whitenight,
Down,	Leiby,	Price,	Wheeler,
Ehrgood,	Leisey,	**Pursley,**	Willaredt,
Erb,	Leonard,	**Readinger,**	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	**Reidenbach,**	**Wood,**
Farabaugh,	Limper,	**Renwick,**	**Worley,**
Filo,	**Lopresti,**	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	**Yetzer,**
Flint,	Lutty,	Rovansek,	**Young,**
Floyd,	**Magee,**	Royer,	Ziegler,
Flynn,	Mahan,	**Rubin,**	**Andrews,**
Frank,	Markley,	**Rudisill.**	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Ellberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1784, Printer's No. 1015, and

House Bill No. 1785, Printer's No. 1003

were passed over at the request of Mr. CHARLES C. SMITH.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1790, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately one thousand two hundred sixty-six acres of land in the Township of Coolbaugh County of Monroe Pennsylvania known as Tobyhanna Signal Depot and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a tract of land situate in the Township of Coolbaugh County of Monroe Commonwealth of Pennsylvania known as the Tobyhanna Signal Depot bounded and described as follows

Beginning at a point in the northwesterly boundary line of the Tobyhanna Signal Depot Military Reservation which point is North 77 degrees 31 minutes 30 seconds East 25 feet from the point where the center line of Pennsylvania State Route No 45036 intersects said boundary line and which beginning point is also North 77 degrees 31 minutes 30 seconds East 1325 feet more or less from pipe monument No 48B thence from said beginning point North 77 degrees 31 minutes 30 seconds East 4412.10 feet more or less to pipe monument No 48A being the most northeasterly corner of the Tobyhanna Signal Depot Military Reservation thence South 12 degrees 23 minutes East 3095.30 feet to pipe monument No 48 thence South 12 degrees 23 minutes East 3888.50 feet to pipe monument No 47 thence North 77 degrees 32 minutes 30 seconds East 74.29 feet to pipe monument No 46 thence South 1 degree 05 minutes 30 seconds West 403.79 feet to pipe monument No 45 thence South 89 degrees 44 minutes 30 second East 1674.09 feet to pipe monument No 44 thence South 89 degrees 44 minutes 30 seconds East 350 feet to westerly right of way line of Pennsylvania State Route No 490 thence following the westerly right of way line of said Route 490 southerly as the road meanders approximately 3400 feet to a point where said westerly right of way line of Route 490 intersects the southerly boundary line of the Tobyhanna Signal Depot Military Reservation thence North 89 degrees 42 minutes 30 seconds West 750.71 feet to pipe monument No 40 thence South 17 degrees 53 minutes West 510.15 feet to pipe monument No 39 thence South 29 degrees 43 minutes West 178.65 feet to pipe moument No 38 thence South 28 degrees 50 minutes West 32.70 feet to pipe monument No 23 thence South 29 degrees 59 minutes West 347.12 feet to pipe monument No 22 thence North 60 degrees 09 minutes West 802.01 feet to pipe monument No 21 thence South 29 degrees 52 minutes West 429.81 feet to pipe monument No 20 thence North 60 degrees 07 minutes West 1803.25 feet to a point in the southerly boundary line to the Tobyhanna Signal Depot Military Reservation thence North 29 degrees 52 minutes East 100 feet more or less to the southeasterly line of an existing road thence on a straight line in a northwesterly direction being the line of perimeter fence if extended southeasterly 150 feet more or less to the southeasterly corner of said existing perimeter fence thence in a northwesterly direction along said perimeter fence a distance of 6600 feet more or less to the northwesterly corner of said perimeter fence thence leaving said fence in a northerly direction and at a distance of 25 feet easterly of and parallel to the center line of State Route No 45036 a distance of 4180 feet more or less to the point of beginning containing 1265.81 acres more or less

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United Sates of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings with the exception of roads abutting on said lands to be used by the United States for military and other public purposes which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States of America is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Comomnwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Geifand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swarts,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Toll,

Bucchin,	Johnson,	Murray, P. G.,	Toomey,
Bullen,	Jones, G. E.,	Musto,	Thompson,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Oglivie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh.
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresto,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1792, as follows:

An Act relating to comic books magazines and other publications prohibiting and regulating the sale thereof in certain instances and imposing penalties

Whereas we believe that the destructive and adventurous potentialities of children and adolescents are often stimulated by collections of pictures and stories of criminal deeds of bloodshed or lust so massed as to incite to violent and depraved crimes against the person and

Whereas we believe that such juveniles and other susceptible characters do in fact commit such crimes at least partly because incited to do so by such publications the purpose of which is to exploit such susceptible characters and

Whereas such belief even though not capable of statistical demonstration is supported by our experience as well as by the opinions of some specialists qualified to express opinions regarding criminal psychology and not disproved by others and

Whereas in any event there is nothing of possible value to society in such publications so that there is no gain to the Commonwealth whether in edification or enlightenment or amusement or good of any kind and

Whereas the possibility of harm by restricing free utterance through harmless publications is to remote and too negligible a consequence of dealing with the evil publications with which we are here concerned and

Whereas The National Council of Juvenile Court Judges has urged that action be taken at local state and national levels of government to curtail prohibit and outlaw the publication of so-called "comics"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be unlawful for any person to sell offer for sale attempt to sell exhibit give away keep in his possession with intent to sell or give away or in any way furnish or attempt to furnish to anyone under the age of eighteen years any comic book magazine or other publication which read as a whole is concerned with an account of crime which may incite to violence and depraved acts against the person and which depicts by the use of drawings the following crimes as defined in "The Penal Code" of the Commonwealth of Pennsylvania

(1) Aggravated assault and battery
(2) Assault with intent to kill
(3) Robbery
(4) Assault with intent to maim
(5) Administering drugs
(6) Rape
(7) Murder
(8) Assault with intent to ravish
(9) Burglary
(10) Larceny
(11) Arson

Any person violating any of the provisions of this sections shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding one year or both

Section 2 It shall be unlawful for any person to sell offer for sale attempt to sell exhibit give away keep in his possession with intent to sell or give away or in any way furnish or attempt to furnish to anyone under the age of eighteen years any obscene lewd lascivious filthy indecent profane or disgusting comic book magazine or other publication

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding one year or both

Section 3 It shall be unlawful for any person as a condition to a sale or delivery for resale of any comic book magazine periodical or publication to require that the purchaser or consignee receive for resale any other article book or other publication reasonably believed by the purchaser or consignee to be obscene lewd lascivious filthy indecent profane or disgusting

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding fve hundred dollars ($500) or to undergo imprisonment not exceeding one year or both

Section 4 The word "person" includes an individual copartnership association and corporation

Section 5 This act shall take effect in thirty days

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, rather than take up the time of this House with a statement I want to make, I would like to ask permission to present the statement for the record.

Mr. Speaker, browsing through a magazine stand several weeks ago I was jarred by the gruesome cover on a comic book. The contents of this colored pulp story book were so shocking I felt I had to tell you about it.

Your children can buy a nightmare for a dime. Terror for tots is big business. The Frankensteins who produce this stuff that bad dreams are made of, blossom opulent on the intense curiosity and deep impressionability of the young. Tales from Twain are passe. Tales from the Crypt are sell-outs. The recipe is simple. Take the hollow face of a zombie and mix well with ghouls, shrunken heads and decomposed bodies. The bigger the portion—the better the dish.

The April-May cover of "Tales from the Crypt" features a rather shabby coffin-filled vault. A young man wearing an expression of violent dread is shown clawing at the steel door while watching a partly decomposed body draped in tattered clothing rise up from one of the wooden boxes. His nose is rotted off, eyes eaten out, part of an ear is gone, his skin hangs casually over rotted teeth, yet somehow he manages to leer at the reader. By way of explanation, the terrified youth at the crypt door is fed this line, "Locked . . . with . . . with this thing!" Comic? Let's turn the page.

This is the mood page to prepare you for your adventure in horror. It is clobbered with comic characters . . . . a clumsily wrapped mummy, a cute, green monster with one eye and two pointed teeth, a wild-eyed ape, a few formless ghosts, a shriveled head, a dozing bat hanging head downward apparently bored with it all, and your hostess, the Crypt Keeper definitely not the twin with the toni. She speaks, "Welcome, dear friends! Come into the Crypt of terror. I see it is time to tell you another of my spine-tingling horror stories. This one is sure to freeze the blood in your veins . . . guaranteed to make shivers run up and down your crawling spine. This adventure into terror . . . this chilling ordeal is about to happen to you. You are the main character. Get a good grip on yourself."

The first story titled "Reflection of Death" talks directly and personally to the wide-eyed juvenile devotees. You are driving down the highway with a friend. There is an accident. You awaken and find yourself lying at the edge of a road. There is no sign of a wreck . . . just road reaching into the night. A car passes . . . you put your hand up to stop it . . . step up to the driver and see a look of stark terror in his eyes. He shrieks and drives away. You pass a hobo huddled near a fire. He smiles and invites you to some stews. You move into the firelight, the blood drains from his face . . . he runs screaming into the night. You come across a paper dated two months from the accident. It's impossible you think. You were driving home from a New Year's Eve party. It can't be the 26th of February. You reach your home. It is boarded up. You go to your friend's house who was with you when the accident happened. You tell him your story . . . how people screamed when they saw you but he had not. He is blind. He doesn't believe you . . . says you were killed . . . horribly mangled . . . You're dead . . . you stagger towards a mirror . . . you see a face almost completely rotted away. To quote again from this pretty prose "you scream. You open your rotted, torn decomposed mouth and scream." The story continues through two additional pages of nauseous nightmares and once again your drooling hostess rises to greet you. "Like being a corpse, kiddies. Well, you might as well get used to it. It's bound to happen. Maybe you'll know it's coming by having a dream like the one in this story. If you do, you'll have something to look forward to."

Mr. Speaker, the fascinated little readers are then turned over to The Old Witch for a terrifying tale which she calls, "Last Respects." Briefly, this is the story of an heiress and her chauffeur. They are secretly married. Her scrooge uncle whom she lives with discovers her secret while she is delirious with pneumonia. He refuses to let her husband see her. She dies and is taken to a valut where her chauffeur husband comes to pay his last respects and to mutter over her casket that he has killed her uncle. A storm comes up and blows the door to the vault shut. He's trapped in the mausoleum. Days . . . then weeks pass. His knocking and shouting grows weaker. A month later the door is opened by an attendant who finds him recently dead. The coffin had been pried open. Bones are scattered on the floor. He had stayed alive for almost a month by catching water in an urn and eating his wife. He had died of embalming fluid poisoning. "They took him away. They put the white picked-clean bones back into the coffin and sealed it up again." The witch fades out with this bit of comment, "It was a meaty little tale wasn't it? They all killed each other so to speak. I hope you didn't . . . er . . . choke up at the sad ending. If your stomach's doing flip-flops I'll turn you back to the crypt Keeper. He has another tale for you to chew on."

This comic book is published by Educational Comic's Inc., New York City. A small seal on the upper lefthand corner of the cover stamps it as "an entertaining comic." The seal on the right is marked "conforms to the comics code. Authorized by A. C. M. P." The inside cover asks the reader to look for this seal. "This seal is used by the Association of Comics Magazine Publishers which believes in decency and good taste," they continue by stating they believe in self regulation. They say if you want the best comic magazines, always look for the seal because it is your guarantee of quality and entertainment. "Only the best comics carry the seal."

The Association is constantly working to give you better entertainment and more information about the world we live in. It works with Parent-Teachers Associations, educational groups, women's clubs, religious organizations of every faith. Show this advertisement to your parents so they too will understand what the better comic magazine publishers are doing to raise standards."

What are they doing if they continue to publish these morbid tales? What are we doing to stop them? Your children are the victims of this terror form of comic lurking behind a code of "decency" and "good taste."

Ten cents is too big a price for your children to pay for frightful dreams, extreme fear, nervious disorders. The state legislature has the power to ban these dime monsters. You have the power to make them.

The publishers of these fright funnies are getting away with murder—the cold blooded premeditated murder of a child's peace of mind. I urge—support of H. R. 1792.

Mr. READINGER. Mr. Speaker, I do not wish to delay the speedy passage of this bill, but I think the record should indicate that this is the bill by which we are going to make an attempt to regulate the sale of comic books. It was worked out very carefully by the Judiciary Committee. It has been amended since to remove the objections of some very important and intelligent groups of persons, and we believe that it is in about the best shape possible at this time. We hope it will remove from the stores many of the comic books which may have been leading some of our children into misdeeds of one kind or another. I think it is a good bill and I think we can all vote for it with pride.

Mrs. REIBMAN. Mr. Speaker, may I have permission to file a statement for the record in connection with this bill?

The SPEAKER. Permission is granted.

MRS. REIBMAN. Mr. Speaker, The subject of how much influence horror, crime and sex comics have on a child has been the subject of much concern and discussion.

Many states have set up legislative committees to study the problem. New York, for example, after a thorough study, which included public hearings and examining phychiatrists, parents and members of the comic book industry overwhelmingly voted to recommend legislation to curb these comics.

This bill was drawn up after considerable study by a subcommittee of Judiciary consisting of Mrs. Reibman, Mr. Auker and Mr. Sherman with the aid of the Department of Justice.

The bill creates no special censoring or screening body or a special enforcement agency. It spells out a flat prohibition of a list of crimes in which the comic books indulge.

There are those who would oppose such legislation on the grounds that it interferes with the freedom of the press. But freedom of the press cannot be invoked to protect commercialists to whom decent standards mean little as long as their publications sell. A continual exposure of young children to commercial exploitation of comic book crime and violence would seem to rot away foundations of society.

The comic book industry has wisely decided to police itself, but there are still many publishers who do not belong to its Code Authority. The only way, it would seem, to keep such comics out of the hands of children, is to pass such legislation as House Bill 1792.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. O.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1823, Printers No. 1030,

House Bill No. 1824, Printer's No. 1031, and

House Bill No. 1825, Printer's No. 1032,

were passed over at the request of Mr. READINGER.

There being no objection

Senate Bill No. 190, Printer's No. 62,

was passed over at the request of Mr. CHARLES C. SMITH.

There being no objection

Senate Bill No. 192, Printer's No. 246,

was passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 218, as follows:

An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by providing for the method of valuation of taxable shares of stock in any regulated investment company

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred fifty-one (P. L. 441) is hereby further

amended by adding at the end of said section a new paragraph to read as follows

Section 2 Tax on Mortgages Judgments etc Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorney-in-fact domiciled in another state or within this Commonwealth but outside the school district levying the tax where such personal property is held and managed in such school district of the first class A except as executor or administrator of the estate of a non-resident decedent and except as trustee for a resident or non-resident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessd by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or within this Commonwealth but outside the school district levying the tax or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state or within this Commonwealth but outside the school district levying the tax and one or more of whom are domiciled within such school district such personal property is held and managed in another state or within this Commonwealth but outside the school district levying the tax and where such resident is entitled to receive all or part of the income therefrom is hereby made taxable annually for the year one thousand nine hundred forty-eight and annually thereafter for public school purposes in school districts of the first class A school be levied upon annually by the board of public education in every such school district at the rate of not less than one (1) nor more than four (4) mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

* * * *

The value of any taxable shares of stock issued by any regulated investment company as defined under the provisions of the Federal Internal Revenue Code of 1948 shall be that part of the current value of said shares to be determined by multiplying said current value by a fraction the numerator of which shall be the total value of so much of the personal property owned by the regulated investment company as would be taxable by this act if owned by a resident of Pennsylvania and the denominator of which shall be the total value of all of the personal property owned by the regulated investment company

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	McCann,	Sarraf,
Agnew,	Frost,	McCormack,	Scarcelli,
Amarando,	Gaffney,	McGee,	Schuster,
Anderson, M. S.,	Garlock,	McLaughlin,	Sherman,
Anderson, S. A.,	Gelfand,	McWherter,	Sigman,
Ashton,	Gibson,	Meholchick,	Smith, C. O.,
Auker,	Goldstein,	Metz,	Smith, Wm. B.,
Banker,	Gramlich,	Mihm,	Snider,
Barnatovich,	Guss,	Mikula,	Stank,
Bazin,	Hamilton, R. K.,	Miller,	Stebbins,
Bell,	Hass,	Mills,	Steckel,
Boles,	Haudenshield,	Monroe,	Stephens,
Bonner,	Heavey,	Moody,	Stevenson,
Boory,	Henzel,	Moran,	Stone,
Bower,	Hocker,	Moscrip,	Stoner,
Branca,	Holt,	Mullen,	Strausser,
Breisch,	Horst,	Munley,	Stroup,
Brennan, A. P.,	Houk,	Murphy,	Swartz,
Brennan, J. J.,	Isaacs,	Murray, H. P.,	Taylor,
Breth,	Jenkins,	Murray, J. J.,	Thomas,
Brown,	Johnson,	Murray, P. G.,	Thompson,
Bucchin,	Jones, G. E.,	Musto,	Toll,
Bullen,	Jones, T. H. W.,	Naugle,	Toomey,
Capano,	Jump,	Needham,	Varner,
Cianfrani,	Kamyk,	Ogilvie,	Vaughan,
Cioffi,	Kehler,	Olsen,	Verona,
Cochran,	Kent,	O'Neil,	Wall,
Comer,	Knecht,	Pacchioli,	Wallace,
Connelly,	Kolankiewicz,	Parry,	Walsh,
Cooper,	Kooker,	Paulhamus,	Wargo,
Curwood,	Kornick,	Petrosky,	Waterhouse,
Davis,	Kromer,	Pettigrew,	Weidner,
Donahue,	Kubacki,	Polaski,	Welsh,
Donaldson,	Lawyer,	Polen,	Wescott,
Dougherty,	Leiby,	Price,	Wheeler,
Down,	Leven,	Pursley,	Whitenight,
Ehrgood,	Leisey,	Readinger,	Willaredt,
Erb,	Leonard,	Reibman,	Williams,
Eshleman,	Light,	Reidenbach,	Wilt,
Ewing,	Limper,	Renwick,	Wood,
Farabaugh,	Lopresti,	Rigby,	Worley,
Filo,	Lovett,	Rosen,	Yetter,
Fineman,	Lutty,	Rovansek,	Yetzer,
Flint,	Magee,	Royer,	Young,
Floyd,	Mahan,	Rubin,	Ziegler,
Flynn,	Markley,	Rudisill,	Andrews,
Frank,	Maxwell,		Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 457, as follows:

An Act amending the act of June 23 1931 (P L 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further providing for appropriations by such cities to official police pension funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4305 act of June 23 1931 (P L 932) known as The Third Class City Code" as reenacted and amended June 28 1951 (P L 662) is amended to read

Section 4305 Payments to Pension Funds by City There shall be paid annually to the organization or association constituting and having in charge the distribution of police pension funds in every city a sum of money [not] sufficient to meet the requirements of and to maintain such police pension fund which sum in no year shall be less than one-half of one per centum nor more than [one] three per centum of all city taxes levied by the city other than taxes levied to pay interest on or extinguish the debt of the city or any part thereof

Section 2 This act shall take effect January 1 1956

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boles,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Ellberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 531, as follows:

An Act amending the act of May 3 1909 (P L 413) entitled "An act relating to the granting of titles by tne Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" providing for and regulating the granting of easements in across and under the beds of navigable rivers for sewer lines and other facilities of sewage treatment systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 act of May 3 1909 (P L 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" amended May 21 1943 (P L 304) is amended to read

Section 3 That on and after the passage of this act there shall be no warrants easements or other office rights granted in any of the counties of the Commonwealth for lands in the beds of navigable river or in beds of streams which are by law declared public highways except

(1) Warrants or other office rights may be granted for such lands as intervene between former islands for which patents have been granted and the former mainland of navigable rivers where such intervening lands form an obstruction to navigation and are without the ordinary low water lines of such navigable rivers as shown by the certificate [of the Secretary of War] of the United States Secretary of the Army No such warrant or other office right shall be granted unless and until written approval of the Water and Power Resources Board of the Department of Forests and Waters has been obtained following the submission of formal application and plans to the board showing the manner in which the said lands within the flood water channel of the navigable river will be occupied and used and the extent to which the flood carrying capacity of the channel will be reduced or modified Provided however That preference in granting any such patent shall be given to applications of owners of the land abutting the land intervening between the former islands to which patents have been granted and the former mainland of navigable rivers Such patents may be issued in accordance with any agreement entered into by all such land owners providing for an allotment of the land intervening between the former islands

(2) Easements may be granted for sewage treatment plants and intercepting sewer systems and facilities necessary and incidental thereto under across and in the beds of navigable rivers or streams which are by law declared public highways for the purpose of diverting sewage and industrial wastes from said rivers or streams to sewage treatment plants where permits for the construction thereof have been issued by or by authorization of the Sanitary Water Board the Water and Power Resources Board and the United States Secretary of the Army The Secretary of Internal Affairs shall on application by any municipality authority or institution make such grants to such municipality of such easements in the name of the Commonwealth and in such form as shall be approved by the Attorney General without the payment of purchase money interest or fees The Secretary of Internal Affairs shall not be required to submit to the Department of Forests and Waters any copies of such applications as is required in applications for vacant lands generally As used herein "municipality authority or institution" means any county county authority municipality authority city borough town township school district and any healing preventive mental health educational correctional and penal institution almshouse and county and city homes operated by the State or any political subdivision thereof

the sewage from which is not admitted to a public sewer system

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Auker,	Gaffney,	McCormack,	Schuster,
Amarando,	Garlock,	McGee,	Sherman,
Anderson, M. S.,	Gelfand,	McLaughlin,	Sigman,
Anderson, S. A.,	Gibson,	McWherter,	Smith, C. C.,
Ashton,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boies,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varner,
Cianfrani,	Jump,	Needham,	Vaughan,
Cioffi,	Kamyk,	Ogilvie,	Verona,
Cochran,	Kehler,	Olsen,	Wall,
Comer,	Kent,	O'Neil,	Wallace,
Connelly,	Knecht,	Pacchioli,	Walsh,
Cooper,	Kolankiewicz,	Parry,	Wargo,
Curwood,	Kooker,	Paulhamus,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Donahue,	Kromer,	Pettigrew,	Welsh,
Donaldson,	Kubacki,	Polaski,	Wescott,
Dougherty,	Lawyer,	Polen,	Wheeler,
Down,	Leiby,	Price,	Whitenight,
Ehrgood,	Leisey,	Pursley,	Willaredt,
Erb,	Leonard,	Readinger,	Williams,
Eshleman,	Leven,	Reibman,	Wilt,
Ewing,	Light,	Reidenbach,	Wood,
Farabaugh,	Limper,	Renwick,	Worley,
Filo,	Lopresti,	Rigby,	Yetter,
Fineman,	Lovett,	Rosen,	Yetzer,
Flint,	Lutty,	Rovansek,	Young,
Floyd,	Magee,	Royer,	Ziegler,
Flynn,	Mahan,	Rubin,	Andrews,
Frank,	Markley,	Rudisill,	Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Eilberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 643, as follows:

An Act amending the act of June 24 1939 (P. L. 872) entitled "An act to conslidate amend and revise the penal laws of the Commonwealth" prohibiting budget planning business and prescribing penalties for violation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of June 24 1939 (P L 872) known as "The Penal Code" is amended by adding after section 896 a new section to read

Section 897 Budget Planning Business (a) "Budget Planning" as used in this section means the making of a contract express or implied with a particular debtor whereby the debtor agrees to pay a certain amount of money periodically to the person engaged in the budget planning business who shall for a consideration distribute the same among certain specified creditors in accordance with a plan agreed upon

(b) Whoever engages in the business of budget planning is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or undergo imprisonment of not more than one (1) year or both provided that the provisions of this act shall not apply to those situations involving budget planning as herein defined incurred incidentally in the practice of law in the Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adam,	Frost,	Markley,	Rudisill,
Agnew,	Frascella,	Maxwell,	Sarraf,
Amarando,	Gaffney,	McCann,	Scarcelli,
Anderson, M. S.,	Garlock,	McCormack,	Schuster,
Anderson, S. A.,	Gelfand,	McGee,	Sherman,
Ashton,	Gibson,	McLaughlin,	Sigman,
Auker,	Goldstein,	McWherter,	Smith, C. C.,
Banker,	Gramlich,	Meholchick,	Smith, Wm. B.,
Barnatovich,	Greenwood,	Metz,	Snider,
Bazin,	Guss,	Mihm,	Stank,
Bell,	Hamilton, R. K.,	Mikula,	Stebbins,
Boies,	Hass,	Miller,	Steckel,
Bonner,	Haudenshield,	Mills,	Stephens,
Boory,	Heavey,	Monroe,	Stevenson,
Bower,	Henzel,	Moody,	Stone,
Branca,	Hocker,	Moran,	Stoner,
Breisch,	Holt,	Moscrip,	Strausser,
Brennan, A. P.,	Horst,	Mullen,	Stroup,
Brennan, J. J.,	Houk,	Munley,	Swartz,
Breth,	Isaacs,	Murphy,	Taylor,
Brown,	Jenkins,	Murray, H. P.,	Thomas,
Bucchin,	Johnson,	Murray, J. J.,	Thompson,
Bullen,	Jones, G. E.,	Murray, P. G.,	Toll,
Capano,	Jones, T. H. W.,	Musto,	Toomey,
Cianfrani,	Jump,	Naugle,	Varner,
Cioffi,	Kamyk,	Needham,	Vaughan,
Cochran,	Kehler,	Ogilvie,	Verona,
Comer,	Kent,	Olsen,	Wall,
Connelly,	Knecht,	O'Neil,	Wallace,
Cooper,	Kolankiewicz,	Pacchioli,	Walsh,
Curwood,	Kooker,	Parry,	Wargo,
Davis,	Kornick,	Paulhamus,	Waterhouse,
Donahue,	Kromer,	Petrosky,	Weidner,
Donaldson,	Kubacki,	Pettigrew,	Welsh,
Dougherty,	Lawyer,	Polaski,	Wescott,
Down,	Leiby,	Polen,	Wheeler,
Ehrgood,	Leisey,	Price,	Whitenight,
Erb,	Leonard,	Pursley,	Willaredt,
Eshleman,	Leven,	Readinger,	Williams,
Ewing,	Light,	Reibman,	Wilt,
Farabaugh,	Limper,	Reidenbach,	Wood,
Filo,	Lopresti,	Renwick,	Worley,
Fineman,	Lovett,	Rigby,	Yetter,
Flint,	Lutty,	Rosen,	Yetzer,
Floyd,	Magee,	Rovansek,	Young,
Flynn,	Mahan,	Royer,	Ziegler,
Frank,		Rubin,	Andrews,
			Speaker

NAYS—0

NOT VOTING—23

Blair,	Guthrie,	Kratz,	Pashley,
Brenninger,	Hamilton, W. H.,	Lafore,	Pomeroy,
Ellberg,	Helm,	Lippincott,	Spencer,
Foster,	Hewitt,	McInroy,	Tompkins,
George,	Keller,	McKeever,	Varallo,
Gibb,	Kline,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

WEATHER BULLETIN

The SPEAKER. The Chair has received a bulletin from one of the news agencies which may be of interest to the Members.

Harrisburg, (AP)—The State Council of Civil Defense today alerted all of its county directors to be on guard against flooding of streams in their areas resulting from day-long rains.

Dr. Richard Gerstell, State Civil Defense director, said: "Rains during past fifteen hours have brought many smaller streams in Susquehanna, Schuylkill and lower Juniata river watersheds to bankfull or overflow stages, with some highway flooding in low spots.

Heavy but spotty rainfall is expected in eastern two-thirds of Pennsylvania between early Friday evening and daylight Saturday morning. Should this occur, rather serious flooding may be expected in many small streams throughout central and eastern portions of the state.

Serious flooding along main stems of Susquehanna, Juniata, Schuylkill and Delaware rivers not now expected.

The Federal Flood Forecasting Service reported at 3 p. m. that small sterams in the Susquehanna River basin were flooding with severe local flooding in north central Pennsylvania.

The Weather Bureau said additional flooding is expected tonight from continuing rains, but no flooding indicated on the Susquehanna or its major tributaries.

The service said a 12-13-foot crest is expected at Williamsport Saturday morning. Flood stage there is 16 feet.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, the present plans are that the session of October 24th, which will be held at 3:30 Daylight Time, 2:30 Standard Time, will be a token session unless the Members are notified otherwise.

The meeting of the House after October 24th is still a matter not decided. All the Members will be notified by letter and probably by telegram when they are to return.

The SPEAKER. The Chair desires to thank the Members of the House for the orderly way in which the discussion of serious problems has been handled. The Speaker wants to particularly thank the Members who are here and regrets the absence of those who failed to appear.

HOUSE RESOLUTION No. 107

Mr. READINGER. Mr. Speaker, I call up on page 37 of today's calendar, House Resolution No. 107.

The resolution was read by the Clerk as follows:

In the House of Representatives, August 1, 1955.

There is vastly increased use of both surface and ground water for domestic industrial agriculcural irrigational recreational and related purposes The continued expansion of water use may create shortages of these valuable resources There is an inevitable relationship between the utilization of waters and the utilization of other mineral resources

The Commonwealth recognizes a public interest in the quantity quality and utilization of these waters and a duty upon the General Assembly to insure that such waters are conserved and that their use is allotted in a fair and equitable manner therefore be it

Resolved (the Senate concurring) That the Joint State Government Commission be authorized to study the surface and ground water resources in the Commonwealth and the inter-relationships between the utilization of water resources and other mineral resources and the urban and industrial development of the Commonwealth and more particularly to determine the adequacy or inadequacy of existing laws and to ascertain what new laws if any may be necessary to properly protect these valuable resources The State Planning Board and the various administrative agencies of the Commonwealth now engaged in studies of these vital problems shall cooperate with the Commission in this study.

The Commission shall report its findings at the next regular session of the General Assembly

On the question,

Will the House agree to the resolution?

Mr. FLINT. Mr. Speaker, I desire to offer amendments.

The amendments were read by the Clerk as follows:

Amend the preambles, page 1, by inserting after first preamble: The act of June 22, 1937, P. L. 1897, has declared the discharge of sewage or industrial waste or any noxious and deleterious substances into the waters of this Commonwealth, which is or may become inimical and injurious to the public health, or to animal or aquatic life, or to the uses of such waters for domestic or industrial consumption, or for recreation not to be a reasonable or natural use of such waters, and to be a public nuisance and against public policy.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the resolution as amended?

It was agreed to.

SENATE RESOLUTION SERIAL No. 139

Mr. READINGER. Mr. Speaker, I call up on page 37 of today's calendar Senate Resolution Serial No. 139.

The resolution was read, considered and adopted as follows:

In the Senate, July 11, 1955.

Whereas, The Executive Department of the United States has recommended an appropriation of $6,000,000 to be expended by the Corps of Engineers for fiscal 1955-56 to begin the authorized improvement of the Delaware River Channel Philadelphia, Pa., to Trenton, N. J.; and

Whereas, The Senate of the United States approved the recommended sum of $6,000,000; and

Whereas, The members of the Conference Committee (representing the House of Representatives) in opposing the appropriation of the sum of $6,000,000; have refused to concure with the recommendation of the Executive Department and the Senate of the United States; now therefore be it

Resolved, (the House of Representatives concurring), That the Senate and House of Representatives of the Commonwealth of Pennsylvania, on behalf of the people of Pennsylvania, voice its disapproval of the discriminatory action of the House of Representatives of the United States (through its representatives on the Conference Committee) in jeopardizing the welfare of our Delaware Valley three-State area by refusing to recognize the urgent need for improvement of the Delaware River by providing funds for the prompt start of construction of this vital project; and be it further

Resolved, That the Senate and House of Representatives of the Commonwealth of Pennsylvania petition the Executive and Legislative branches of the United States Government through this Resolution to approve legislation during the present session of the Congress of the United States that will make available in the current fiscal year the recommended sum of $6,000,000 so that the justified and approved improvement of the Delaware River can be started promptly in the interests of our national defense, industry, commerce, and the welfare of all the people of the Delaware Valley; and be it further

Resolved, That the President of the Senate of the Commonwealth of Pennsylvania appoint three members of the Senate to serve as a continuing committee together with three members of the House of Representatives of the Commonwealth of Pennsylvania who, upon the concurrence of the House of Representatives, shall be appointed by the Speaker of the House; and be it further

Resolved, That said committee shall cooperate with the Governor of the Commonwealth of Pennsylvania in such actions as may be desirable and necessary to achieve the required legislative appropriation from the Congress of the United States to assure not only the prompt start of the construction of the Delaware River channel improvement but to assure, also, the earliest possible completion of this important project; and be it further

Resolved, That the Secretary of the Senate be directed upon the passage of the instant Resolution to forward copies thereof to His Excellency, the President of the United States; to the Vice President of the United States, in his capacity as Presiding Officer of the Senate of the United States; to the Speaker of the House of Representatives of the Congress of the United States; to the two United States Senators from Pennsylvania, the Honorable Edward Martin and James H. Duff; to each one of the Members of the Pennsylvania Delegation to the House of Representatives of the Congress of the United States; to the Director of the Bureau of the Budget; and to the Chief of Engineers, United States Corps of Engineers.

BILLS INTRODUCED AND REFERRED

By Messrs. LEONARD and WELSH.

HOUSE BILL No. 1840.

An Act amending the act of June 1, 1937 (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such an order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," deleting certain labor practices heretofore declared as unfair.

Referred to the Committee on Labor Relations.

By Messrs. LEONARD and WELSH.

HOUSE BILL No. 1841.

An Act repealing clause (d) of subsection (2) of section 6 of the act of June 1, 1937 (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes to be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to the representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," relating to picketing by nonemployes.

Referred to the Committee on Labor Relations.

By Mr. DOWN. HOUSE BILL No. 1842.

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," changing the amount the institution district may pay for burial costs in each case.

Referred to the Committee on Judiciary Special.

By Mr. DOWN. HOUSE BILL No. 1843.

An Act amending the act of June 13, 1883 (P. L. 119) entitled, "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies," regulating the burial costs for unclaimed bodies unfit for anatomical purposes and making provisions conform to existing law.

Referred to the Committee on Judiciary Special.

By Mr. FILO. HOUSE BILL No. 1844.

An Act amending the act of June 3, 1937 (P. L. 1225),

entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," regulating the issuance of resident and non-resident hunters' licenses and tags for antlerless deer.

Referred to the Committee on Censervation and Wild Life.

By Messrs. LAWYER and ZIEGLER.

HOUSE BILL No. 1845.

An Act amending the act of June 20, 1919 (P. L. 521), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties, and citing certain acts for repeal," changing the tax rate on property transferred to lineal descendants of adopted children.

Referred to the Committee on Ways and Means.

By Mr. LIMPER. HOUSE BILL No. 1846.

An Act relative to Commonwealth printing, establishing requirements of responsible bidders, prohibiting the award of contracts for such printing to other than responsible bidders as certified by the Secretary of Labor and Industry, and prescribing penalties.

Referred to the Committee on State Government.

By Mr. PRICE (By Request) HOUSE BILL No. 1847.

An Act providing for a referendum to determine the will of the electorate with respect to the use and extension of daylight saving time.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 735.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores; for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," permitting licensed importers to import, purchase, sell and store liquor and alcohol in the Commonwealth.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Messrs WATERHOUSE and GIBSON.

RESOLUTION NO. 121.

In the House of Representatives, October 14, 1955.

By unanimous action of the Pennsylvania Fish Commission, at a duly called meeting of the commission, it was decided to reconstruct the Columbus Dam located at Columbus, Warren County, Pennsylvania, which had been partially destroyed by flood sometime previously, and to restore the lake formed thereby, and by the same action a sum of money was set aside out of the Fish Fund to defray the expenses of the improvement.

Relying on the action of the commission, property owners around the lake as it existed before the destruction of the dam, undertook extensive improvements to their properties at considerable expense to themselves.

By recent action of the Pennsylvania Fish Commission the restoration of Columbus Dam project was abandoned without showing any reason or necesity for the action; therefore be it

Resolved, That the Pennsylvania Fish Commission be called on for an explanation as to why the Columbus Dam project has been abandoned and to produce the minutes of its meetings relating thereto, and to submit the same to a special committee of the House of Representatives, to consist of five members to be appointed by the Speaker; and be it further

Resolved, That the special committe hereby created inquire into all phases of the Columbus Dam project, obtain all information it requires from the Pennsylvania Fish Commission and elsewhere, where available, and make its report together with its recommendations to the House of Representatives during its present session.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 340.

Amending the act of April 17 1947 (P. L. 63) entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation any land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases" extending the provisions of the act to cities of the second class excluding certain land from condemnation and further regulating the use of parking garages

HOUSE BILL No. 386.

An Act amending the act of March 26 1931 (P. L. 8) entitled "An act to fix the fees to be allowed the district attorney in counties of the second class" providing a fee for services in cases removed to any appellate court of this Commonwealth or to any court of the United States

HOUSE BILL No. 705.

An Act providing for the payment of certain outstanding checks more than seven years old and making appropriations therefor

HOUSE BILL No. 1003.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses

bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeiture fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for a limited period to certain nonresidents

HOUSE BILL No. 1332.

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by regulating the salary of mine inspectors

HOUSE BILL No. 1628.

An Act making an appropriation to the Department of Public Instruction for payments to school districts on account of rentals payable to municipal authorities and nonprofit corporation

HOUSE BILL No. 1637.

An Act making an appropriation to the Department of Property and Supplies for the payment of annual rates rentals and other charges to the General State Authority

SENATE BILL No. 306.

An Act amending the act of May 16 1921 (P. L. 579) entitled as amended "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third fourth and fifth classes by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safekeeping discipline and employment of prisoners and the government and management of said jails or county prisons" further regulating the expenditures of moneys by the board without advertising and awarding of contracts

SENATE BILL No. 455.

An Act amending the act of May 2 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" eliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by an Authority

SENATE BILL No. 595.

An Act amending the act of March 7 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing cities to regulate or prohibit the construction building or maintenance of certain fences made in whole or in part of wire with barbs

Whereupon the SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. DAVIS. Mr. Speaker, I move that this House do now adjourn until Monday, October 24, 1955, at 2:30 p. m. EST.

The motion was agreed to, and (at 5:25 p.m. EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., MONDAY, OCTOBER 24, 1955. No. 103.

SENATE

MONDAY, October 24, 1955.

The Senate met at 2:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

In the absence of the Chaplain, the following prayer was offered by the gentleman from Berks, Mr. RUTH:

Almighty God, our Heavenly Father, Thou who dost move in a mysterious way, Thy wonders to perform, as we look around and see the beauty of the hillsides we see Thy tremendous silent power. We pray that we may always feel it in our lives and in our hearts, that Thou dost guide us, too, in Thine own way as Thou dost change nature from life to dormacy and back again to life.

We pray for Thy help and strength upon one of our Members who is sick and in the hospital. We pray, if it is Thy will, that Thou wilt speedily restore him again to health and strength.

Guide us always in Thy service so that our lives may rebound to Thy honor and glory. In the master's name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WADE and Mr. DERK, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs Elsie B. Ganz, Summit Lawn, Allentown, Lehigh County, for reappointment as a member of the Board of Trustees of Allentown State Hospital, for the term of four years and until her successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Peter A. Justin, 6th and Oak Streets, Mt. Carmel, Northumberland County, for appointment as a member of the Board of Trustees of Danville State Hospital, for the term of four years and until his successor is appointed and qualified, vice Robert M. Thomas, Shamokin, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. S. Ickes, Jr., 415 Main Street, Boswell, Somerset County, for appointment as justice of the Peace in and for the Borough of Boswell, Somerset County, to serve until the first Monday of January 1956, vice C. S. Ickes, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Rose D. Komarinski, R. D. 1, New Florence, Westmoreland County, for appointment as Justice of the Peace in and for the Township of St. Clair, Westmoreland County, until the first Monday of January 1956, vice Joseph Komarinski, resigned.

GEORGE M. LEADER.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 262, PRINTER'S No. 255

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 22, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 262, Printer's No. 255, entitled "An act amending the act of May 26, 1949 (P. L. 1828) entitled 'An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries' authorizing fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL No. 306, PRINTER'S No. 264

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 18, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 306, Printer's No. 264, entitled "An act amending the act of May 16, 1921 (P. L. 579) entitled as amended 'An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third fourth and fifth classses by creating in such counties a board to be known by the name and style of inspectors of the jail or county prison with authority to appoint a warden of such prison and by vesting in said board and the officer appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons' further regulating the expenditures of moneys by the board without advertising and awarding of contracts."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL No. 455, PRINTER'S No. 197

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 22, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 455, Printer's No. 197, entitled "An act amending the act of May 2, 1945 (P. L. 382) entitled 'An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates' eliminating the necessity for the approval of the Pennsylvania Public Utility Commission over the acquisition of certain projects by an Authority."

GEORGE M. LEADER.

APPROVED AND SIGNED SENATE BILL No. 595, PRINTER'S No. 279

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 21, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 595, Printer's No. 279, entitled "An Act amending the act of March 7, 1901 (P. L. 20) entitled 'An act for the government of cities of the second class' authorizing cities to regulate or prohibit the construction building or maintenance of certain fences made in whole or in part of wire with barbs."

GEORGE M. LEADER.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 286, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "Vehicle Code," establishing special speed restrictions for business and residence districts in cities of the second class.

Which was committed to the Committee on Local Government.

House Bill No. 929, entitled:

An Act amending the act of July 20, 1917 (P. L. 1158), entitled "An act to fix, regulate, and establish the fees to be charged and received by constables in this Commonwealth," increasing mileage.

Which was committed to the Committeee on Judiciary General.

House Bill No. 986, entitled:

An Act relating to chattel mortgages executed and filed prior to July 1, 1954, regulating the assignment, release, satisfaction and extension of the lien of mortgages, and the filing, indexing and docketing thereof in prothonotaries' offices; prescribing methods of foreclosure; defining defaults and violations; prescribing prothonotaries' fees; and fixing penalties.

Which was committed to the Committeee on Judiciary General.

House Bill No. 1113, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "Administrative Code of 1929," providing for the establishment by the Department of Property and Supplies of standards for the design, construction, repair, alteration, equipping and furnishing of buildings owned or to be constructed or subsidized by or for the Commonwealth and the material used therein; repealing inconsistent legislation; directing the Department of Property and Supplies to make a report to the next General Assembly; and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1116, entitled:

An Act enabling governing bodies of cities of the first, second and second class A to establish, by ordinance, the requirements of responsible bidders for city printing.

Which was committed to the Committee on Local Government.

House Bill No. 1221, entitled:

An Act amending the act of March 10, 1949 (P. L. 30),

entitled "Public School Code of 1949," limiting the period for approval of one-room, one-teacher schools.

Which was committed to the Committee on Education.

House Bill No. 1263, entitled:

An Act providing for the establishment of fireman pension, pension funds or pension annuities in boroughs, towns and townships, and the regulation and maintenance thereof; providing for continuance of existing funds or transfer thereof to funds herein established; and prescribing rights of beneficiaries.

Which was committed to the Committee on Local Government.

House Bill No. 1388, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law," changing the salaries of the tax collector in cities of the third class.

Which was committed to the Committee on Local Government.

House Bill No. 1391, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "Third Class City Law," fixing the minimum salary of city treasurers.

Which was committed to the Committee on Local Government.

House Bill No. 1507, entitled:

An Act amending, revising, clarifying and changing the act of April 6, 1953 (P. L. 3), entitled "Uniform Commercial Code."

Which was committed to the Committee on Judiciary General.

House Bill No. 1693, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "Administrative Code of 1929," further regulating membership of the State Veterans' Commission.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 1707, entitled:

An Act amending the act of June 21, 1939 (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," changing the time for valuation or assessment of new buildings.

Which was committed to the Committee on Local Government.

House Bill No. 1722, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further regulating changes of places of business and establishment of branches.

Which was committed to the Committee on Banking.

House Bill No. 1737, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," regulating the establishment of places of business and changes in the places of business and the establishment and maintenance of branches.

Which was committed to the Committee on Banking.

House Bill No. 1747, entitled:

An Act to further amend clause (a) of section five hundred ten of the act of May 1, 1929 (P. L. 905) entitled "Vehicle Code," by making an editorial correction, and changing the time for beginning use of registration plates for certain vehicles.

Which was committed to the Committee on Highways.

House Bill No. 1749, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "Vehicle Code," requiring the submission of a certain certificate by certain applicants; requiring admission or release reports on certain persons by certain superintendents or medical directors or other competent authorities; and imposing penalties.

Which was committed to the Committee on Highways.

House Bill No. 1763, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "General Borough Act," extending the time for payment on purchases of borough property.

Which was committed to the Committee on Local Government.

House Bill No. 1779, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "Insurance Department Act of 1921" by continuing the provisions of that section in effect for a further period.

Which was committed to the Committee on Insurance.

House Bill No. 1781, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" enabling county commissioners to establish by resolution the requirements of responsible bidders for county printing.

Which was committed to the Committee on Local Government.

House Bill No. 1790, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of American of approximately one thousand two hundred sixty-six acres of land in the Township of Coolbaugh, County of Monroe, Pennsylvania known as Tobyhanna Signal Depot, and ceding jurisdiction to the United States.

Which was committed to the Comimttee on State Government

House Bill No. 1792, entitled:

An Act relating to comic books, magazines and other publications; prohibiting and regulating the sale thereof in certain instances and imposing penalties.

Which was committed to the Committee on Judiciary General

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate at follows:

PROTESTING THE ADVERSE ACTION OF THE UNITED STATES HOUSE OF REPRESENTATIVES CONCERNING THE DEEPENING OF THE DELAWARE RIVER CHANNEL

In the Senate, July 11, 1955.

Whereas, The Executive Department of the United States has recommended an appropriation of $6,000,000 to be expended by the Corps of Engineers for fiscal 1955-56 to begin the authorized improvement of the Delaware River Channel Philadelphia, Pa., to Trenton, N. J.; and

Whereas, The Senate of the United States approved the recommended sum of $6,000,000; and

Whereas, The members of the Conference Committee (representing the House of Representatives) in opposing the appropriation of the sum of $6,000,000; have refused to concur with the recommendation of the Executive Department and the Senate of the United States; now therefore be it

Resolved, (the House of Representatives concurring), That the Senate and House of Representatives of the Commonwealth of Pennsylvania, on behalf of the people of Pennsylvania, voice its disapproval of the discriminatory action of the House of Representatives of the United States (through its representatives on the Conference Committee) in jeopardizing the welfare of our Delaware Valley three-State area by refusing to recognize the urgent need for improvement of the Delaware River by providing funds for the prompt start of construction of this vital project; and be it further

Resolved, That the Senate and House of Representatives of the Commonwelath of Pennsylvania petition the Executive and Legislative branches of the United States Government through this Resolution to approve legislation during the present session of the Congress of the United States that will make available in the current fiscal year the recommended sum of $6,000,000 so that the justified and approved improvement of the Delaware River can be started promptly in the interests of our national defense, industry, commerce, and the welfare of all the people of the Delaware Valley; and be it further

Resolved, That the President of the Senate of the Commonwealth of Pensylvania appoint three members of the Senate to serve as a continuing committee together with three members of the House of Representatives of the Commonwealth of Pennsylvania who, upon the concurrence of the House of Representatives, shall be appointed by the Speaker of the House; and be it further

Resolved, That said committee shall cooperate with the Governor of the Commonwealth of Pennsylvania in such actions as may be desirable and necessary to achieve the required legislative appropriation from the Congress of the United States to assure not only the prompt start of the construction of the Delaware River channel improvement but to assure, also, the earliest possible completion of this important project; and be it further

Resolved, That the Secretary of the Senate be directed upon the passage of the instant Resolution to forward copies thereof to His Excellency, the President of the United States; to the Vice President of the United States, in his capacity as Presiding Officer of the Senate of the United States; to the Speaker of the House of Representatives of the Congress of the United States; to the two United States Senators from Pennsylvania, the Honorable Edward Martin and James H. Duff; to each one of the Members of the Pennsylvania Delegation of the House of Representatives of the Congress of the United States; to the Director of the Bureau of the Budget; and to the Chief of Engineers, United States Corps of Engineers.

SENATE BILL No. 457 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 457, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," further providing for appropriations by such cities to official police pension funds.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 218

He also returned to the Senate, Senate Bill No. 218, entitled:

An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes, school treasurer, board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by providing for the method of validation of taxable shares of stock in any regulated investment company.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 531

He also returned to the Senate, Senate Bill No. 531, entitled:

An Act amending the act of May 3, 1909 (P. L. 413), entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land, the price to be paid for the same, the conveyance to the State Forestry Reservation Commission, where desirable for forest culture or forest preservation, preventing the granting of warrants for the beds of navigable rivers, and providing for acceptance of returns of surveys without limitation as to excess or surplus," providing for and regulating the granting of easements in, across and under the beds of navigable rivers for sewer lines and other facilities of sewage treatment systems.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 643

He also returned to the Senate, Senate Bill No. 643, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth, prohibiting budget planning business and prescribing penalties for violatoin thereof.

with the information that the House has passed the same without amendments.

BILLS INTRODUCED AND REFERRED

Mr. DIEHM read in his place and presented to the Chair Senate Bill No. 809, entitled:

An Act amending the act of May 18, 1945 (P. L. 809), entitled "An act removing certain roads or sections of road from the State highway system; and providing for their future maintenance and construction," removing an additional road from the State highway system.

Which was committed to the Committee on Highways.

He also real in his place and presented to the Chair Senate Bill No. 810, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwelath in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," changing a route in Lancaster County.

Which was committed to the Committee on Highways.

Mr. KOPRIVER, JR. read in his place and presented to the Chair Senate Bill No. 811, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172), entitled "An act establishing certain streets in boroughs, and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," adding a new route in the Borough of Carnegie.

Which was committed to the Committee on Highways.

Messrs. CAMIEL and CHAPMAN read in place and presented to the Chair Senate Bill No. 812, entitled:

An Act amending the act of July 12, 1913 (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," increasing the number of judges of the Municipal Court of Philadelphia.

Which was committed to the Committee on Judiciary General.

Messrs. SEYLER, WAGNER and FLEMING read in place and presented to the Chair Senate Bill No. 813. entitled:

An Act amending the act of , one thousand nine hundred fifty-five (Act No.) entitled "An act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin, by employers, employment agencies, labor organizations, and others ,as herein defined; creating the Pennsylvania Fair Employment Practice Commisison in the Department of Labor and Industry; defining its functions, powers and duties; providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement; and imposing penalties," providing that termination of employment under a bona fide retirement or pension plan shall not constitute an unfair employment practice.

Which was committed to the Committee on Education.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 814, entitled:

An Act amending the act of July 2, 1935 (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducing such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," further regulating referendums and petitions therefor; and dispensing with referendums in townships.

Which was committed to the Committee on Law and Order.

ORDER OF BUSINESS OF PETITIONS AND REMONSTRANCES PASSED OVER TEMPORARILY

Mr. BARR. Mr. President, I understand that the House wants to adjourn and there are several things on the Calendar which we want to get through, but I do have a speech I would like to make and if the Senate will give me permisison, I will defer it until after consideration of the Calendar.

The PRESIDENT. If there are no objections, the Chair passes over this order of business temporarily.

Mr. SEYLER. Mr. President, do I understand that we are passing over this order of business temporarily?

The PRESIDENT. We are passing over it and will come back to it a little bit later.

Is there objection? The Chair hears none.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution which was twice read, considered and agreed to:

In the Senate, October 24, 1955.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week its reconvene on Monday, November 14, 1955, at 3:30 o'clock, p.m., E.S.T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week it reconvene on Monday, November 14, 1955, at a time to be fixed by the House of Representatives, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

FURTHER CONSIDERATION OF ORDER OF BUSINESS OF ORIGINAL RESOLUTIONS PASSED OVER TEMPORARILY

Mr. WADE. Mr. President, may we suspend further consideration of Original Resolutions until later in the Session?

The PRESIDENT. Are there any objections?

Mr. SILVERT. Mr. President, I have a short resolution, which I would like to introduce at this time.

Mr. DENT. Mr. President, I assure the gentleman that I have a short resolution which I would like to introduce, too, but the House is waiting for action on some important legislation, which I am sure the Senator is very much interested in. In order for that legislation to become law, if we are going to adjourn for two weeks, we would like to proceed to the consideration of the Calendar, and then revert to Petitions and Remonstrances and Original Resolutions.

Mr. SILVERT. Mr. President, I will defer the offering of my resolution at this time.

Mr. WADE. Mr. President, if I may add to what Senator Dent just said, there are several resolutions which are pending consideration or are going to be introduced by different Members of this body and we will then return to this order of business. Is that right?

The PRESIDENT. As I understand it, we are to take up the Calendar and then revert to the order of business of Petitions and Remonstrances and continue from that point.

Is there objection? The Chair hears none.

CALENDAR

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 229

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 229, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 229, entitled: "An Act prohibiting certain practices of discrimination because of race color religious creed ancestry age or national origin by employers employment agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions powers and duties providing for procedure and enforcement providing for formations of an educational program to prevent prejudice providing for judicial review and enforcement and imposing penalties."

Respectfully submit the following bill as our report:

ROBERT D. FLEMING,
PAUL L. WAGNER,
HARRY E. SEYLER,
(Committee on the Part of the Senate.)

HERMAN TOLL,
J. P. MORAN,
CHARLES C. SMITH,
(Committee on the Part of the House of Representatives)

An Act prohibiting certain practices of discrimination because of race color religious creed ancestry age or national origin by employers employment agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent prejudice providing for judicial reivew and enforcement and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act may be cited as the "Pennsylvania Fair Employment Practice Act"

Section 2 Findings and Declaration of Policy

(a) The practice or policy of discrimination against individuals or groups by reason of their race color religious creed ancestry age or national origin is a matter of concern of the Commonwealth Such discrimination foments domestic strife and unrest threatens the rights and privileges of the inhabitants of the Commonwealth and undermines the foundations of a free democratic state The denial of equal employment opportunities because of such discrimination and the consequent failure to utilize the productive capacities of individuals to their fullest extent deprive large segments of the population of the Commonwealth of earnings necessary to maintain decent standards of living necessitates their resort to public relief and intensifies group conflicts thereby resulting in grave injury to the public health and welfare

(b) It is hereby declared to be the public policy of this Commonwealth to foster the employment of all individuals in accordance with their fullest capacities regardless of their race color religious creed ancestry age or national origin and to safeguard their right to obtain and hold employment without such discrimination

(c) This act shall be deemed an exercise of the police power of the Commonwealth for the protection of the public welfare prosperity health and peace of the people of the Commonwealth of Pennsylvania

Section 3 Right to Freedom from Discrimination in Employment The opportunity for an individual to employment for which he is qualified without discrimination because of race color religious creed ancestry age or national origin is hereby recognized as and declared to be a civil right which shall be enforceable only as set forth in this act

Section 4 Definitions As used in this act unless a different meaning clearly appears from the context

(a) The term "person" includes one or more individuals partnerships associations organizations corporations legal representatives trustees in bankruptcy or receivers

(b) The term "employer" includes the Commonwealth or any political subdivision or board department commission or school district thereof and any person employing twelve or more persons within the Commonwealth but does not include religious fraternal charitable or sectarian corporations or associations except such corporations or associations supported in whole or in part by governmental appropriations

(c) The term "employe" does not include any individual employed in agriculture or in the domestic service of any person nor any individual employed by his parents spouse or child

(d) The term "labor oragnization" includes any organization which exists for the purpose in whole or in part of collective bargaining or of dealing with employers concerning grievances terms or conditions of employment or of other mutual aid or protection in relation to employment

(e) The term "employment agency" includes any person regularly undertaking with or without compensation to procure opportunities to work or to procure recruit refer or place employes

(f) The term "Commission" means the Pennsylvania Fair Employment Practice Commission created by this act

(g) The term "discriminate" includes segregate

(h) The term "age" inculdes any person between the ages of forty and sixty-two inclusive

Section 5 Unlawful Employment Practices It shall be an unlawful employment practice unless based upon a bona fide occupational qualification or except where based upon applicable security regulations established by the United States or the Commonwealth of Pennsylvania

(a)For any employer because of the race color religious creed ancestry age or national origin of any individual to refuse to hire or employ or to bar or to discharge from employment such individual or to otherwise discriminate against such individual with respect to compensation hire tenure terms conditions or privileges of employment if the individual is the best able and most competent to perform the services required

(b) For any employer employment agency or labor organization prior to the employment or admission to membership to

(1) Elicit any information or make or keep a record of or use any form of application or application blank containing questions or entries concerning the race color religious creed ancestry age or national origin of any applicant for employment or membership

(2) Print or publish or cause to be printed or published any notice or advertisement relating to employment or membership indicating any preference limitation specifica-

tion or discrimination based upon race color religious creed ancestry age or national origin

(3) Deny or limit through a quota system employment or membership because of race color religious creed ancestry age national origin or place of birth

(4) Substantially confine or limit recruitment or hiring of individuals with intent to circumvent the spirit and purpose of this act to any employment agency employment service labor organization training school or training center or any other employe-referring source which services individuals who are predominately of the same race color religious creed ancestry age or national origin

(c) For any labor organization because of the race color religious creed ancestry age or national origin of any individual to deny full and equal membership rights to any individual or otherwise to discriminate against such individuals with respect to hire tenure terms conditions or privileges of employment or any other matter directly or indirectly related to employment

(d) For any employer employment agency or labor organization to discriminate in any manner against any individual because such individual has opposed any practice forbidden by this act or because such individual has made a charge testified or assisted in any manner in any investigation proceeding or hearing under this act

(e) For any person whether or not an employer employment agency labor organization or employe to aid abet incite compel or coerce the doing of any act declared by this section to be an unlawful employment practice or to obstruct or prevent any person from complying with the provisions of this act or any order issued thereunder or to attempt directly or indirectly to commit any act declared by this section to be unlawful employment practice

(f) For any employment agency to fail or refuse to classify properly refer for employment or otherwise to discriminate against any individual because of his race color religoius creed ancestry age or national origin

(g) For any individual seeking employment to publish or cause to be published any advertisement which specifies or in any manner expresses his race color religious creed ancestry age or national origin or in any manner expresses a limitation or preference as to the race color religious creed ancestry age or national origin of any prospective employer

Section 6 Pennsylvania Fair Employment Practice Commission There shall be and there is hereby established in the Department of Labor and Industry a non-partisan departmental administrative commission for the administration of this act which shall be known as the "Pennsylvania Fair Employment Practice Commission" and which is hereinafter referred to as the "Commission"

Said Commission shall consist of nine members to be known as Commissioners who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate not more than five of such Commissioners to be from the same political party and each of whom shall hold office for a term of five years or until his successor shall have been duly appointed and qualified Provided however That in making the first appointments to said Commission one member shall be appointed for a term of one year two for a term of two years two for a term of three years two for a term of four years and two for a term of five years Vacancies occurring in an office of a member of the Commission by expiration of term death resignation removal or for any other reason shall be filled in the manner aforesaid for the manner aforesaid for the balance of that term

Subject to the provisions of this act the Commission shall have all the powers and shall perform the duties generally vested in and imposed upon departmental administrative boards and commisions by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) known as 'The Administrative Code of one thousand nine hundred twenty-nine" and its amendments and shall be subject to all the provisions of such Code which apply generally to departmental administrative boards and commissions

The Governor shall designate one of the members of the Commission to be its chairman who shall preside at all meetings of the Commission and perform all the duties and functions of the chairman thereof The Commission may designate one of its members to act as chairman during the absence or incapacity of the chairman and when so acting the member so designated shall have and perform all the powers and duties of the chairman of the Commission

Five members of the Commission shall constitute a quorum for transacting business and a majority vote of those present at any meeting shall be sufficient for any official action taken by the Commission

Each member of the Commisison shall receive per diem compensation at the rate of fifteen dollars ($15) per day for the time actually devoted to the business of the Commission

The Commission shall adopt an official seal by which its acts and proceedings shall be authenticated and of which the courts shall take judicial notice The certificate of the chairman of the Commission under the seal of the Commission and attested by the secretary shall be accepted in evidence in any judicial proceeding in any court of this Commonwealth as adequate and sufficient proof of the acts and proceedings of the Commission therein certified to

Section 7 Powers and Duties of the Commission The Commission shall have the following powers and duties

(a) To establish and maintain a central office in the City of Harrisburg

(b) To meet and function at any place within the Commonwealth

(c) To appoint such attorneys and other employes and agents as it may deem necessary fix their compensation within the limitations provided by law and prescribe their duties

(d) To adopt promulgate amend and rescind rules and regulations to effeceuate the policies and provisions of this act

(e) To formulate policies to effecuate the purposes of this act and make recommendations to agencies and officers of the Commonwealth or political subdivisions of government or board department commission or school district thereof to effectuate such policies

(f) To initiate receive investigate and pass upon complaints charging unlawful employment practices

(g) To hold hearings subpoena witnesses compel their attendance administer oaths take testimony of any person under oath or affirmation and in connection therewith to require the production for examination of any books and papers relating to any matter under investigation where a complaint has been properly filed before the Commission The Commission may make rules as to the issuance of subpoenas by individual Commisisoners In case of contumacy or refusal to obey a subpoena issued to any person the Court of Common Pleas of Dauphin County or any court of common pleas within the jurisdiction of which the hearing is to be held or the said person charged with contumacy or refusal to obey is found resides or transacts business upon application by the Commisison may issue to such person an order requiring such person to appear before the Commission there to produce documentary evidence if so ordered or there to give evidence touching the matter in question and any failure to obey such order of the court may be punished by said court as a contempt thereof

No person shall be excused from attending and testifying or from producing records correpsondence documents or other evidence in obedience to the subpoena of the Commission or of any individual Commissioner on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he is compelled after having claimed his privilege against self-incrimination to testify or produce evidence except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so

testifying The immunity herein provided shall extend only to natural persons so compelled to testify

(h) To inspect upon request such records of the Commonwealth or any political subdivision board department commisison or school district thereof as it may deem necessary or advisable to carry into effect the provisions of this act

(i) To create such advisory agencies and conciliation councils local or state-wide as will aid in effectuating the purposes of this act The Commission may itself or it may empower these agencies and councils to (1) study the problems of discrimination in all or specific fields of human relationships when based on race color religious creed ancestry age or national origin and (2) foster through community effort or otherwise good will among the groups and elements of the population of the State Such agencies and councils may make recommendations to the Commission for the development of policies and procedure in general Advisory agencies and conciliation councils created by the Commission shall be composed of representative citizens serving without pay but the Commission may make provision for technical and clerical assistance to such agencies and councils and for the payment of the expenses of such assistance

(j) To issue such publications and such results of investigations and research as in its judgment will tend to promote good will and minimize or eliminate discrimination because of race color religious creed ancestry age or national origin

(k) From time to time but not less than once a year to report to the Legislature and the Governor describing in detaial the investigations proceedings and hearings it has conducted and their outcome the decisions it has rendered and the other work performed by it and make recommendations for such further legislation concerning abuses and discrimination because of race color religious creed ancestry age or national origin as may be desirable

Section 8 Educational Program

In order to eliminate prejudice among the various racial religious and nationality groups in this Commonwealth and to further good will among such groups the Commission in cooperation with the Department of Public Instruction is authorized to prepare a comprehensive educational program designed for the students of the schools in this Commonwealth and for all other residents thereof in order to eliminate prejudice against such groups

Section 9 Procedure Any individual claiming to be aggrieved by an alleged unlawful employment practice may make sign and file with the Commission a verified complaint in writing which shall state the name and address of the person employer labor organization or employment agency alleged to have committed the unlawful employment practice complained of and which shall set forth the particulars thereof and contain such other information as may be required by the Commission The Commisison upon its own initiative or the Attorney General may in like manner make sign and file such complaint Any employer whose employes or some of them hinder or threaten to hinder compliance with the provisions of this act may file with the Commission a verified complaint asking for assistance by conciliation or other remedial action and during such period of concilation or other remedial action no hearings orders or other actions shall be taken by the Commission against such employer

After the filing of any complaint or whenever there is reason to believe that an unlawful employment practice has been committed the Commission shall make a prompt investigation in connection therewith

If it shall be determined after such investigation that no probable cause exists for crediting the allegations of the complaint the Commission shall within ten days from such determination cause to be issued and served upon the complainant written notice of such determination and the said complainant or his attorney may within ten days after such service file with the Commission a written request for a preliminary hearing before the Commission to determine probable cause for cerditing the allegations of the complaint If it shall be determined after such investigation that probable cause exists for crediting the allegations of the complaint the Commission shall immediately endeavor to eliminate the unlawful employment practice complained of by conference concilation and persuasion The members of the Commisison and its staff shall not disclose what has transpired in the course of such endeavors provided that the Commission may publish the facts in the case of any complaint which has been dismissed and the terms of conciliation when the complaint has been adjusted without disclosing the identity of the parties involed

In case of failure so to eliminate such practice or in advance thereof if in the judgment of the Commission circumstances so warrant the Commission shall cause to be issued and served a written notice together with a copy of such complaint as the same may have been amended requiring the person employer labor organization or employment agency named in such complaint hereinafter referred to as respondent to answer the charges of such complaint at a hearing before the Commission at a time and place to be specified in such notice The place of any such hearing shall be in the county in which the alleged offense was committed

The case in support of the complaint shall be presented before the Commission by one of its attorneys or agents The respondent may file a written verified answer to the complaint and appear at such hearing in person or otherwise with or without counsel and submit testimony The complainant may likewise appear at such hearing in person or otherwise with or without counsel and submit testimony The Commission or the complainant shall have the power reasonably and fairly to amend any complaint and the respondent shall have like power to amend his answer The Commission shall not be bound by the strict rules of evidence prevailing in courts of law or equity The testimony taken at the hearing shall be under oath and be transcribed

If upon all the evidence at the hearing the Commission shall find that a respondent has engaged in or is engaging in any unlawful employment practice as defined in this act the Commission shall state its findings of fact and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful employment practice and to take such affirmative action including but not limited to hiring reinstatement or upgrading of employes with or without back pay admission or restoration to membership in any respondent labor organization as in the judgment of the Commission will effectuate the purposes of this act and including a requirement for report of the manner of compliance If upon all the evidence the Commission shall find that a respondent has not engaged in any such unlawful employment practice the Commission shall state its findings of fact and shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent

The Commission shall establish rules or practice to govern expedite and effectuate the foregoing procedure and its own actions thereunder Any complaint filed pursuant to this section must be so filed within ninety days after the alleged act of discrimination any complaint may be withdrawn at any time by the party filing the complaint

Section 10 Enforcement and Judicial Review The complainant the Attorney General or the Commission may secure enforcement of the order of the Commission or other appropriate relief by the Court of Common Pleas of Dauphin County Such proceeding shall be initiated by the filing of a petition in such court together with a transcript of the record of the hearing before the Commission and issuance and service of a copy of said petition as in proceedings in equity The court shall have power to grant such temporary relief or restraining order as it deems just and proper and to make and enter upon the pleadings testimony and proceedings set forth in such transcript an order or decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the Commission and the jurisdiction of the court shall not be limited by acts pertaining to equity jurisdiction of the courts an appeal may be taken as in other civil actions

The Commission's copy of the testimony shall be available at all reasonable times to all parties for examination without cost and for the purpose of enforcement or judicial review of the order The case shall be heard without requirement of printing

Any order of the Commission may be reviewed under the provisions of the act of June 4 1945 (P L 1388) known as the "Administrative Agency Law" and its amendments

Section 11 Penalties Any person who shall wilfully resist prevent impede or interfere with the Commission its members agents or agencies in the performance of duties pursuant to this act or shall wilfully violate an order of the Commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or to undergo imprisonment not exceeding thirty (30) days or both in the discretion of the court but procedure for the review of an order shall not be deemed to be such wilful conduct

Section 12 Construction and Exclusiveness of Remedy

(a) The provisions of this act shall be construed liberally for the accomplishment of the purposes thereof and any law inconsistent with any provisions hereof shall not apply

(b) Nothing contained in this act shall be deemed to repeal any of the provisions of any municipal ordinance municipal charter or of any law of this Commonwealth relating to discrimination because of race color religious creed ancestry age or national origin but as to acts declared unlawful by section five of this act the procedure herein provided shall when invoked be exclusive and the final determination therein shall exclude any other action civil or criminal based on the same grievance of the complainant concerned If such complainant institutes any action based on such grievance without resorting to the procedure provided in this act he may not subsequently resort to the procedure herein In the event of a conflict between the interpretation of a provision of this act and the interpretation of a similar provision contained in any municipal ordinance the interpretation of the provision in this act shall apply to such municipal ordinance

Section 13 Separability If any clause sentence paragraph or part of this act or the application thereof to any person or circumstance shall for any reason be adjudged by a court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder of this act nor the application of such clause sentence paragraph or part to other persons or circumstances but shall be confined in its operation to the clause sentence paragraph or part thereof and to the persons or circumstances directly involved in the controversy in which such judgment shall have been rendered It is hereby declared to be the legislative intent that this act would have been adopted had such provisions not been included or such persons or circumstances been expressly excluded from their coverage

Section 14 This act shall take effect in thirty days except that all reference to provisions relating to discrimination on account of age shall not become effective until July 1 1956

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 229

Mr. TAYLOR. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 229.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Bane,	**Fleming,**	**McMenamin,**	**Stiefel,**
Barr,	**Haluska,**	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	**Hays,**	**Mullin,**	Wade,
Chapman,	Holland,	Pechan,	Wagner,
Dent,	Kopriver, Jr.,	**Ruth,**	Watkins,
Derk,	Lane,	**Schmidt,**	Watson,
Diehm,	**Mahany,**	**Scott,**	Weiner,
DiSilvestro,	**Mallery,**	**Seyler,**	Whalley,
Donolow,	**McCreesh,**	Silvert,	Wolfe,
Flack,	**McGinnis,**	Stevenson,	Yosko,

NAYS—5

Berger,	**Madigan,**	**Peelor,**	**Propert,**
Kessler,			

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 954, as follows:

An Act amending the act of June 24 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for annual [salaries for county commissioners and the controller in counties of the second class for services as officers of the institution district]

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 303 act of June 24 1937 (P. L. 2017) known as the "County Institution District Law" temporarily amended September 29 1951 (P. L. 1610) is amended to read

Section 303 Salaries and Expenses of Officers For services as an officer of an institution district each commissioner and the controller in second class counties shall receive an additional annual salary of two thousand five hundred dollars ($2500) and each commissioner of a seventh class county shall receive an additional annual salary of eight hundred dollars ($800) and each commissioner of an eighth class county shall receive an additional annual salary of three hundred dollars ($300) In every other county the commissioners and in every county the treasurer shall receive no additional compensation for services to the institution district In every county the commissioners and treasurer shall be allowed their necessary expenses incurred in services for the institution district Every county controller in office on [the effective date of this amending act] September 29 1951 shall receive during the remainder of his current term an allowance for expenses incurred in connection with the institution district as follows (1) In second class counties two thousand

dollars ($2000) per annum (2) In third class counties eighteen hundred dollars ($1800) per annum (3) In fourth class counties fifteen hundred dollars ($1500) per annum (4) In fifth class counties twelve hundred dollars ($1200) per annum (5) In sixth class counties one thousand dollars ($1000) per annum

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Lane,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming.			

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

THIRD READING CALENDAR

BILLS ON THIRD READING CALENDAR OVER IN ORDER.

Mr. WADE. Mr. President, I ask unanimous consent that all bills on the Third Reading Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

The bills were as follows:

House Bill No. 794, Printer's No. 1001;

House Bill No. 1105, Printer's No. 531; and

House Bill No. 1572, Printer's No. 1044.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 173, Printer's No. 1046; and

Senate Bill No. 535, Printer's No. 307.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 584, Printer's No. 301, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 729, Printer's No. 305; and

Senate Bill No. 746, Printer's No. 275.

The PRESIDENT. Is there objection? The Chair hears none.

The PRESIDENT. The Order of Business of Petitions and Remonstratnces having been passed over temporarily, the Senate will resume consideration of this Order of Business.

PETITIONS AND REMONSTRANCES

Mr. BARR. Mr. President and Members of the Senate, I was amazed to see in Sunday's newspaper a statement by Senator M. Harvey Taylor, in which he took the position that if the state goes broke for lack of a tax program, it will be the fault of Governor Leader and the Democratic party. That sounds like a typical statement by "Hit and Run Taylor."

Last November, the people of Pennsylvania gave Governor Leader an over-whelming mandate to clean up the mess that was compounded by four Republican Administrations. That meant the development of a tax program which, by all standards, would be fair and equitable and based on ability of the individual to pay. As the party in control of state government, it was our responsibility to develop such a tax program. We fulfilled that responsibility when we introduced and passed in the House the Administration's classified income tax. The Republican Members of the Senate, in killing that measure, did so deliberately as part of a straight line party policy to impede, obstruct and embarrass the administration of Governor Leader. The whole attitude of our Republican friends, I am sorry to state, has been to hold a gun at the head of the Governor and tell him, bluntly, that the only tax Republicans are going to talk about is a sales tax.

It is obvious that the reactionary pattern of Republican obstruction is a throwback to events of last November 2nd when the Republican political machine, impervious as it was to the wishes of the people, met its Waterloo in a stunning political upset. Governor Leader campaigned against a sales tax and the people elected him on that premise. Now our Republican colleagues are trying to tell us that the people didn't know what they were doing when their overwhelming vote for Governor Leader presented a smashing repudiation of the sales tax. Senator Taylor, in particular, seems to have done a lot of talking while everyone was out of town. Of course, everyone knows he is trying to usurp the functions of the Republican State Chairman.

I don't think Senator Taylor will attempt to deny the fact that Governor Leader, following the death of the classified income tax, has tried repeatedly to get the Republican leadership in this Senate and in the House to sit down with him and try to effect a compromise which might produce an acceptable, workable tax program keyed to the interests of our people. In view of the efforts made by Governor Leader to reconcile our tax differences, I scarcely believe Senator Taylor is justified in describing the Governor as stubborn, with the coy implication that the Republicans have tried to do something about a compromise when their whole attitude has been to play politics with the welfare of the Commonwealth.

Senator Taylor himself has successfully boycotted most of the Governor's tax conferencs. That is a matter of

record. He may fool some people, but he doesn't fool me. I am fully aware that Senator Taylor, by ordering the continuing opposition to Governor Leader's efforts to develop an acceptable tax program is doing precisely what he is told to do by U. S. Senator James H. Duff, the man who started Pennsylvania on the downward grade to the Big Red deficit. Duff is convinced that if the Republicans stick to their position on the sales tax, even if it means Pennsylvania will go broke, it will result in a political catastrophe from which the Democratic party will not recover. Therefore, instead of acting in a spirit of compromise and accord, and fulfilling their legislative responsibilities to the people, the Republican leadership has served notice that it intends to sandbag any overtures made by the Governor in an honest effort to work out of our financial difficulties. The big defect to the Duff-Taylor logic, if it can be called that, is that it is working exactly in reverse to what they thought it would accomplish.

Some of the most avid Republican newspapers have editorially censured the strategy of the Republican high command, especially when these same newspapers realize that the financial problems plaguing the Leader Administration are inherited problems. We didn't create them. We are simply trying to resolve them in the interest of good government. It does not aid the Republican cause, in the eyes of the people, to realize that failure of this Administration to enact a tax program can be laid squarely at the door of Senator Taylor, Jim Duff and others high in the Republican leadership who are using the sales tax as a political booby trap to wreck the whole financial structure of our government.

With the state's borrowing capacity at dead end, and the imminent danger to our schools, colleges, universities, hospitals and other state-aided institutions, it should be evident we are not going to find the answer so long as arrogance dominates the thinking of the Republican leadership and so long as political hypocrisy, so adroitly practiced by Senator Taylor, continues to be the order of the day. The tug of war over taxes must be settled dispassionately and fairly on the basis of what is best for our people as a whole.

It is becoming increasingly evident that had the Republicans won last year's election, the same old, deadly mossback system of deficit financing and the indolent habit of kicking old debts into a corner for future generations to worry about, would have been the governing policy. If Senator Taylor is so positive the people want a sales tax, when they rejected it by their vote last November, it would be a simple matter for him to arrange with his leadership in the House to propose such legislation and let it carry the label of the Republican party. It would scrupulously fulfill Senator Taylor's contention that all tax legislation must originate in the House, then come over here and the Republican party would be able to take full credit for it.

Now if Senator Taylor—who must have heard I was going to make this speech—had been here, he would have been seen leaving th room in a matter of minutes, you can be sure, to telephone Senator Duff. Mr. Taylor never does anything without conferring with Big Jim. And I am sure that when my proposal is relayed to Washington, the people in Baltimore will think someone has dropped an atomic bomb on the nation's capitol.

But I am serious, Senator Taylor, and I intend to send a copy of this to his office. I will give him ample opportunity to answer me if he cares to.

If you honestly believe a sales tax is the way out of the financial predicament that was created by your own political colleagues, including former Governor Duff, it shouldn't be necessary for you to obtain Jim Duff's permission to act in a way that will do honor to your political record. We'll be glad to excuse you while you look up Charley Smith and make your arrangements for having the sales tax dressed up with a bright Republican ribbon for introduction in the House. That would establish you, Senator Taylor, as the miracle man who solved Pennsylvania's tax problems all by yourself, and I am sure it will bring you more glory than the bridge that now spans the Susquehanna which was built as a memorial to American war veterans but which, through legislative jockeying now bears your name.

Mr. WADE. Mr. President, we have just heard that very able discourse by our colleague, Senator Barr, of Allegheny County, and I think we all are very fortunate that we had a two weeks' recess to enable Senator Barr to prepare that very accusing statement on the floor of the Senate. I do not suppose for a minutes that it was made at a time just prior to the municipal elections in Pennsylvania, intentionally. It likely just occurred to Senator Barr that this was a good time to make that statement.

Mr. President, he repeated the statement of Senator Taylor who said that if the State goes broke, certainly there will be no one to blame except the Democratic Administration now here in Harrisburg. I think that statement is quite true. We all know that the Constitution provides that the Members of the Senate, or the Senate as a body, are not privileged to introduce any tax-levying legislation. It must originate in the House. We are also fully aware of the fact that the House is controlled by the Democratic Party.

It seems to me that at this juncture, after we have been in Session for a number of months and after we are now almost making a record for length of a Session, it is time to compromise our situation. I believe that the Members of the Republican Senate and the Republican membership, especially the leadership, of the House are just as anxious to compromise our differences and get a sensible and sound tax program as anybody within the Commonwealth. I know that it is a matter of import and concern to many, many citizens of the Commonwealth.

Mr. President, Senator Barr also took occasion to remind us that our present Governor campaigned on a platform opposing the sales tax. It is true that that was one of the planks in his platform, despite the fact that Senator Dent said a few months ago on the floor of this Senate that he would challenge any Member who would make further allegations to the Leader Platform last fall on certain premises. However, there is no doubt about it that this played some part—nobody will ever know exactly what part—in last fall's campaign. Nevertheless, that now does not enter into the discussion.

The fact remains that some platform or some tax program must be adopted which both sides will agree on, because fortunately the Republican Party is in control of the Senate at the moment and it is undoubtedly foremost in our minds that some tax program must be

adopted quickly inasmuch as time is running on, expenses are running on and the State government must be maintained, as well as the many different services which depend upon the State government for finances.

Mr. President, Senator Barr very critically referred to the fact that Senator Taylor confers with certain other members of the Republican Party; among them one Senator James Duff, of Pittsburg, a neighbor of Senator Barr. I suppose that he does confer with other members, but I do not know for a fact that he does. Senator Taylor's practice of conferring with all Members of the Republican Party, especially the leadership, is a very good one. The Republican Party is a party of the people and a party that does not have a dictator at the head of it. It is a party that is controlled by the member's of that party, and certainly we cannot criticize Senator Taylor or anyone else for conferring with all the members, especially those in the leadership of his party.

I am sure that we Republicans have been a little bit too much concerned about the fact that certain members of our party are in favor of a sales tax. In fact, one of our members over in the House introduced a bill advocating a sales tax. That is not the duty of the Republlican Party at this moment. The Democratic Party is in control of the Administration and is also in control of the House. Fortunately, as I said before, it is not in control of the Senate. However, I am sure that the citizens of this Commonwealth are not for one moment critical of the fact that the Republicans in this Senate, the twenty-six Members of the Republican Party who are privileged to sit in the Senate, stopped the vicious classified income tax.

For years, Mr. President, I have felt, and I know that members of the Democratic and Republican Parties in the Senate and House as well have felt, that certain areas ought to be left to the administration of the Federal Government and the most outstanding portion of that area should be the income tax. This area of taxation should be left for the Federal Government. The other areas of taxation, such as the sales tax, should be allocated to the different States. The Federal Government, I know, has had a number of bills advocating a sales tax on the national level. However, these bills have been defeated, and the thinking back of that is that the States should have the area of the sales tax and the Federal Government should have the area of income tax.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. DENT. Senator Wade, in your statement you said that Senator Taylor consults with all Republicans. Would you say that Senator Taylor consulted with you as a Member of this Senate?

Mr. WADE. Yes, Mr. President. Senator Taylor consulted with me on different matters as late as within the last hour; not on this particular matter but on other matters.

Mr. DENT. Mr. Wade, would you say that when he spoke in condemnation of the Governor and the Democratic Party, and laid down the policy of taxation which he enunciated this week-end and many time heretofore, he was speaking for you at that time?

Mr. WADE. No, Mr. President, that was one of the times when he did not consult me.

Mr. DENT. Well, then, Mr. Wade, would you say that you are not wedded to the symbol of taxation represented by a sales tax as the sole means of financing the State at this time?

Mr. WADE. Mr. President, I have made no commitment on that whatsoever. It is true that many prominent members of the Republican Party have advocated a sales tax, but as for me, individually, I have not said that I favor or disfavor the sales tax.

Mr. DENT. Thank you very kindly, Senator.

Mr. President, I am happy to know that Senator Taylor does not speak for all the Senators on the other side, although his statement emphatically and specifically said that the only tax acceptable to the Republican twenty-six votes was the sales tax. He said that back in April, they told the Governor that the only tax they would accept would be a sales tax and then he proceeded to call the Governor stubborn.

When I was a kid, my father told me about a family that lived close by. The man and wife had lived together for many years. The man was very fond of sow belly and butter beans, but he could not get his wife to cook sow belly and butter beans over all these years. Finally, he lost his patience and he took matters into his own hands, and she sued him for divorce on the grounds that he was stubborn. That is the way the Republican Party is acting in the Republican-controlled Senate of this State.

Mr. President, the Democrats happen to dislike the sales tax and the Republican happen to like it. Because we say that we are for it, you call us stubborn but the fact that you say that that is the only tax you are for is not considered to be stubborn. There must be another word, which I am not acquainted with, which covers that kind of action.

Mr. President and Members of this Senate, we have always asked for and tried to work on a compromise. If you will note, during these trying days when we have attempted to meet in compromise there has been no statement from me whatsoever on the part of the Democratic Caucus. I felt that, in an attempt to reach an honest ground upon which to work, it was not becoming upon me or any other man interested in a compromise in this State to make any statements which might throw out of gear the operations that we have tried to keep going during the periods of recess; the operations that we had hoped to keep going during the next two weeks of recess.

We are not wedded to the classified income tax. The Republican Senate has said no to the classified income tax and the Governor has accepted that as an ultimatum. The Governor has said, "All right, gentlemen, get together and whatever compromise you come up with I will give it every consideration." However, everytime we sit down, there is no such thing as a compromise. The only proposal that receives any consideration is the proposal wherein they say, "We are not stubborn but we will not take anything but a sales tax."

Mr. President, let us put the shoes on the feet that properly fit them. Let us find out who is stubborn; let us find out what is happening in Pennsylvania. Is it not true that from the very beginning you have said that there can be no compromise; that it must be a sales tax?

Is it not true that in the early beginning you started out by saying you could cut $220,000,000 from the budget? You said that the Governor was extravagant and yet last week you voted to increase the budget by $26,000,000.

I want to pay particular credit at this time to Senator Kessler. Although I do not agree with him on his proposals, although I fight him bitterly in the compromising committee sessions on the proposals to cut certain items from the budget, I must say that he has worked in good conscience. He has tried to do the job which was allocated to him to do, by trying to find some means and method whereby they could keep a promise, made in an idle moment, that a certain number of millions could be cut from the budget without hurting the services of this Commonwealth. Although we could not get together on all items, in fairness to all the people of Pennsylvania it ought to be known, and I think Senator Kessler will agree, that in our give-and-take sessions we gave every bit as much as we could; that there was a spirit of trying to get together, a spirit of trying to achieve something, a spirit of trying to take this State of Pennsylvania out of the mess which it finds itself in through no fault of ours.

Mr. President, I think that the key to the whole thing was wrapped up in a few short remarks made by Senator Wade, in which he publicly for the first time, in my opinion, laid out for the people of Pennsylvania the underlying thinking of the Republican Party. They would like to have, and if they are able to do so they will keep this Session in longer than the ill-fated session of 1951 under Governor Fine. They think that they will receive some particular kind of political glory by being able to say that this man, Leader, had to stay in longer than Fine did. At this point, I wonder if the ex-Governor of the State of Pennsylvania is considered among those who are consulted by the Republican leadership when it comes to discussing the affairs of the Commonwealth. He ought to be considered, because he was head of this government when it left this Administration with the need to raise $322,000,000 to meet obligations which were left over from that and preceding Administrations.

I am not particularly sure whether Senator Wade was serious when he said a Republican had introduced a sales tax bill in the House. I wonder whether he meant that we ought to bring that bill out on the floor. If he will read that bill, and if he will stand up on this Senate floor and say that he will vote for that bill as it is written and as it has been presented to the House of Representatives, we will be glad to take Senator Wade, with a pledge of twenty-six votes on that side, over to the House committee and standing alongside of him, I will go to that committee and say, "Here are twenty-six votes in the Senate for the Hewitt bill which is in committee." Until that time, there is only one other thing they can do and that is to admit that they have been playing politics with misery, hoping to achieve some glory out of a defeat.

Mr. President, the trouble with the Republican Party in Pennsylvania as I view it, and I hope I am corrected if I am wrong, is that they have been so used to victory that they cannot stand defeat. They cannot read in last year's election anything but a passing defeat, a passing moment; one that came out of the skies like a hurricane and passed away; that its damages can be repaired and there will never be another hurricane, but that is not true. So long as there are winds and elements, there will be hurricanes and so long as there are people with decent thinking, there will be hurricanes in politics and the Democratic Party will again achieve victory. We are not disturbed over whether we will win three years hence. We are disturbed over the peoples' conditions in this State today.

I, for one, Mr. President, want to say very bluntly that so far as I am personally concerned about the bugaboo and the scare headlines that the schools will close and the hospitals will suffer, that the institutions will be forced to curtail their services so that these charges will force us into some kind of a compromise, with a gun at our head, is a mistaken idea. So long as anyone harbors that thought, they are wrong. I am willing to stand here and fight it out until the last breath in my body is gone, that we will not be blackjacked into an unfair tax upon the people of this Commonwealth simply because urgency demands that we do so. The schools will have to take their chances with Republican obstructionism. The hospitals will have to take their chances with the twenty-six Republican Senators' feelings in these matters. We cannot do any more than we are doing.

The reason that we have not passed another set of tax bills in the House, very plainly, Mr. Wade, is because we have been told time and time and time again, and as recent as this week-end, that no compromise is acceptable. I do not think that you would ask that we clutter up your committee with repeated efforts to pass tax bills, which may be accepted, when you repeatedly say that you will not compromise; that nothing is acceptable but a sales tax.

Mr. President, when the Republicans in all sincerity say to us, "Pass this bill, we will consider it; pass this bill and we will consider it; or pass this bill and we will consider it," we will then pass all of the bills which you say you will consider. However, when you say to us, "Pass nothing but the sales tax," that to me is political blackmail. If we in America today stand for political blackmail, we are betraying the inheritance of the forefathers who created this great Nation and its Constitution. The men who died at Bunker Hill died in vain if they were to pass on to us a heritage of blackmail and subjugation to a weak majority that is trying to usurp the powers of the Administration of this State.

We represent, on this side, a majority of the people of Pennsylvania in our elective Districts and yet we are a minority in this Senate. Senator Wade said a minute ago that fortunately there was a Republican-controlled Senate. Fortunate for whom? Fortunate for the Republican Party and just as unfortunate for the people.

Mr. President and Members of the Senate, we have been told that you cannot tax industry because industry must provide payrolls. A great many of us have tried to look at that in that viewpoint. We have been told that you cannot tax main street business because main street business is too powerful with the press and the press will not stand for it. We have been told that you cannot tax income because it is restricted to the Federal uses. It may interest the people of Pennsylvania to know that a great many States have income taxes, and that these income taxes paid in the various States are deductible from

Federal taxes, and that in that particular State the Federal Government contributes anywhere from eighteen to thirty-three per cent of that State's taxes out of Federal revenues. We in Pennsylvania, who do not take advantage of this form of taxation, are paying a full hundred per cent into the Federal till and the other States that are taking advantage of this sourse of taxation are paying less into the Federal till per capita than what we are, based upon the same amount of personal income.

I listened to the same arguments back in 1935 against a corporate net income tax. I listened to the dire threats then that we would lose all of our industry, and any man with half an ounce of intelligence knows that the State has grown. The only thing which we are falling back on, as I see and view the statistics, is that we are not as rapid in our growth in population as other States are, particularly the State of California. Now let us look at the State of California. The State of California has both a sales and an income tax. It has a greater tax on gasoline than we have in Pennsylvania. It allows its cities to tax the same subjects of taxation that the State reserved for itself up until a few years ago. That State has been under Republican control for a great many years. In Illinois, Governor Stratton has done the same thing. They have the same type of taxation and he is a Republican Governor.

Now, Mr. President, what are they trying to do in Pennsylvania? They are trying to follow the line set out by the Chamber of Commerce at its National meeting a few years back in which they started a twofold program; one was to get Wall Street to move into the pay envelope and talk the little people into buying shares of American corporations, through payroll deductions, in order that you would get a great army of stockholders who would then be on the side of the bigh stockholders in this Country of ours to fight any taxes on unearned income. The second move was to have every State in the Union put into their Legislature taxes on sales, and to build up the bugaboo that this was an equitable tax and one that placed the tax on everybody.

Let us see how a sales tax places a tax on everybody. Take a man who is making $3,000 a year and buys a $300 television set. I know some Republicans who would say that he should not have it because it is too good for him, but, nevertheless, if he did not have it and did not buy it a lot of people would not be in business and there would be a great deal more unemployment. However, that is neither here nor there. The fact is that he buys a $300 television set and there is a two per cent or three per cent sales tax on it. He pays the tax on the $300 and his income is $3,000 a year. Over here is another man whose income from unearned income, picked up in the main from inheritances and so forth, is $300,000 a year. He buys a $300 television set and he pays the same tax as the fellow with the $3,000 income. If that is equity, then I do not know what equity is.

Here is a man with ten children. He goes out to buy ten pairs of baby shoes and he pays tax on the ten pairs of shoes, although his income is $3,000 a year. Under the Hewitt tax, mind you, he would pay this tax. Here is another fellow over here with $300,000 of income and no children, and he pays a tax on only one pair of shoes. Is that equity? If that is your understanding of equity, I do not understand it that way.

Why do you Mr. Wade, in the insurance business, charge a man who is twenty years of age a certain amount of money for his insurance policy per year and a man sixty years of age you charge a lot more. Why do you not make it equitable? Why do you not say that it is only two per cent on every thousand dollars and let the premium ride? No, you do not, because that man will not live as long you figure and you better get it out of him quick. Well, let us look at it this way then, Mr. President. If a man makes more money, he ought to pay more.

I long ago believed in the philosophy that government is protection. Those who have the most of this world's goods need protection the most and if you need protection more, you ought to pay more. The dandy dancer in slum row does not give a Fiddler's darn whether there is a policeman around or not. He does not care whether we have safety regulations or we have protection of life, limb and property, because he has nothing to protect, not even a reputation, and so that man does not care whether he pays any taxes or not. However, those of us who have families and children, who are growing up and going to school, want to see this State of ours have the decent kind of schools that children ought to go to. Those of us who have, within our families, illnesses which we cannot cope with want to have this State of ours have certain agencies to take care of these sick people. We want to see to it that when a man goes to a hospital, he will be able to try to pay that bill out of earnings and, Mr. President, that is why we have increased the aid to State-aided hospitals in this particular Administration some $5,000,000, and the Republican Party proposed to cut not only the $5,000,000 but to also take $600,000 from whot was already passed.

Now, Mr. President, whether Mr. Wade allows Senator Taylor to speak for him or not is his own problem. Whether Mr. Taylor ought not to qualify his statements, when he says to the paper that the Republican Senators will not compromise on anything but a sales tax, by saying that he is not speaking for the whole Senate is another problem for Mr. Wade to decide.

Mr. SEYLER. Mr. President, the county superintendents of Pennsylvania are an estimable group of people, but I am moved to remonstrate because of some remarks which were recorded by the Associated Press, under a Harrisburg dateline of October 18th, when the county superintendents had their State Convention. Some of the county superintendents, if they are quoted correctly, seem to me to have an erroneous opinion about Senate Bill No. 769.

I am moved to remonstrate also because I think the remarks they made not only reflect on the bill, but they reflect upon the committee of educators who prepared the bill and I think they reflect on the sponsors of the bill. The bill, incidentally, is referred to in the headline of the story, which I do not blame on the Associated Press, as "The Hays-Seyler Bill"; although the actual list of sponsors are Senator Hays, Senator Wagner, Senator Kessler and myself.

This bill provides for regional service areas to replace the county superintendents. I am not going to discuss the merits of the bill because this is not the proper time to do it, but I would like to answer some of the criticisms which were made to the bill.

Mr. President, one gentleman of that association is quoted as saying, in speaking of this bill: "It would be

a violation of the democratic processes, usurpation of power by the State, a step toward dictatorship." He goes on to say later: "It embodies sentiments that spell out bureaucracy. The local people and boards would no longer decide anything. The bill is fundamentally undemocratic because it lessens local controls." Well, I am sure that Senator Wagner, Senator Kessler and Senator Hays, as well as myself, do not wish to be accused of putting our names to bills which do the horrible things that this superintendent claims.

I have carefully re-read the bill since these statements were made, and I have failed to find anything which would support these statements. It seems to me that the statements are entirely unfounded.

Mr. President, the bill, it is true, would substitute the county convention with the regional convention. it would substitue for the county board a regional board. It would substitute for the county superintendent a regional superintendent. However, these entities would have no more and no less control over the destinies of the local districts than the present terms of the act which covers the county superintendents. Therefore, I say that this charge is unfounded. I regret that I did not hear the gentleman's speech, but certainly in the newspaper account there is no evidence which he adduces to support this contention, and I am entirely unable to find any and I invite the Members of the Senate to read this bill. I think that this bill is just as democratic as the present law. I think it is no more moved to dictatorship or State control than the present law. If the gentleman's criticisms are of the present law, then I think he should have stated that in his remarks.

Now, Mr. President, In the course of the convention, I believe, according to the account here, seven suggestions were made which would have to be incorporated into the bill before it would be acceptable. The first suggestion made is that local directors and administrators should be consulted, in the establishment of standards, by the State Council of Education. That seemed to me to be a good idea, so I got out the bill and I found that this was already provided for in the bill. I would like to read the following passage from the bill, under Section 903-A:

"Development of Plan Hearings In developing plans for the reorganization of counties into Regional Service Areas the State Council of Education shall counsel with county superintendents district superintendents and supervising principals Public hearings shall be conducted in each proposed Regional Service Area at which boards of school directors and residents of any of the school districts affected or any interested party shall be afforded an opportunity to appear before the Council or its representatives and be heard with reference to the proposed reorganization"

Mr. President, I ask, in all fairness, what more does the gentleman ask? This seems to me as democratic and as consulative a proposal as could be enacted, and it is right there written into the law itself.

The second suggestion made was that the reorganization should not be mandatory but should be left to either the General Assembly, or local school directors or both, to put into effect. Well, the truth of the matter is that this bill is before the Legislature and presumably, if it passes, we will have the assent of the Legislature. Not only that, but after the reorganization plan is completed, it will not go into effect until January 1958, and there will be another Session of the Legislature and any subsequent Legislature will certainly have the power to amend that and make any changes in it that the Legislature thinks desirable.

Mr. President, with regard to the gentleman's proposal that the local school boards should adopt this plan, it seems to me to be a ridiculous idea. As the county superintendent undoubtedly know, there are over 2400 local school districts and to ask that every one of them act before a reorganization plan is put into effect is a ridiculous proposition, both from the standpoint of the time involved and the necessary difficulty in getting 2400 boards to act on it.

The third suggestion says that the effective date should be moved back a year or two. The effective date now is January 1, 1958, and to move it back a year or two would make it 1959 or 1960. Just how far, I wonder, do the gentlemen who proposed this suggestion expect this Legislature to look forward.

Mr. President, the fourth one is probably the most ridiculous suggestion of all, in that it says that the word "county" should be substituted for the word "region" and the proposed thirty units increased to forty or forty-five or more. Well, now, a county is a county. As I understand it, there are sixty-six counties, exclusive of Philadelphia, which would not be affected by this bill, and any number less than sixty-six would certainly not justify calling the new unit a county, because a county already exists in the law. Although "region" is perhaps not an absolutely necessary word, it is certainly a whole lot more sensible than creating forty units and calling them counties, when actually we know there are sixty-six counties.

The final suggestion, Mr. President, says that second class districst, formed after a certain date, should be automatically included in the plan but others should have the option to join. This is a group of county superintendents who are making these suggestions, but I have certainly—I do not know whether this is true of the other sponsors—heard no objection from the second class school districts which are not now under the jurisdiction of the county superintendents. If they have an objection, they will probably make it. I do remember, however, that the gentleman, who represented the district superintendents and the second class school districts at a conference we had on this bill, had no objection. In fact, they said that they favored this bill.

I would also like to point out that in criticizing this bill, it is not the four Senators who sponsored it who are being criticized because we have merely had the honor of introducing it. Actually, this is the product of a committee of twenty-seven prominent educators, representing every educational agency in the Commonwealth. They met for two years in a number of conferences and subcommittees, and this plan was conceived by them to be the best solution to the problem. I do not say that the bill is perfect. Perhaps there are many changes which could be made, but I think the type of criticism that calls names, such as dictatorship, undemocratic and bureaucracy, is out of order. I think that the suggestions lack thought and consideration. I am sure that the sponsors of the bill will be very happy to consider any well-based

and well-founded suggestions. However, I think in putting out this kind of a statement, the individuals responsible have done a disservice to the cause of this program of reform in education.

Mr. President, I would say that if these people care to come here and talk to the sponsors of the bill, we would be very glad to listen to their suggestions and to meet them individually. In the meantime, I hope that Senators, particularly those on the Education Committee, which has this bill among the bills under its jurisdiction, will not be affected by these statements but will continue to take a common sense point of view on this bill.

The PRESIDENT. Further consideration of the Order of Business of Original Resolutions having been passed over temporarily, the Senate will resume consideration of this Order of Business.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, Governor Leader has urged all Pennsylvanians to take an active part in the observance of United Nations Day; the part to be taken today, October 24th.

This is the tenth anniversary of the creation of the United Nations. We know that this is the only world-wide organization which has for its purpose the prevention of aggression, the solving of problems between nations and the creation of peace in the world.

Mr. President, I am offering this resolution congratulating the U. N. on its tenth anniversary, and wishing them success in their world-wide work.

SENATE CONCURRENT RESOLUTION

CONGRATULATIONS OF THE GENERAL ASSEMBLY EXTENDED TO THE UNITED NATIONS ORGANIZATION ON ITS TENTH ANNIVERSARY

Mr. SILVERT offered the following resolution which was twice read, considered and agreed to:

In the Senate, October 24, 1955.

Today, October 24, has been designated by our Governor as United Nations Day. It also marks the tenth anniversary when nations all over the world inaugurated a plan whereby international problems would be discussed and settled by peaceful means.

The formation of the United Nations Organization, dedicated to protect the world against aggression and to establish and maintain peace and insure security and liberty to all peace loving peoples, has to a great measure relieved the world of the fears of war.

The U. N. is urged to continue its great efforts in settling problems between nations and effecting world peace; therefore be it

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania congratulates the United Nations Organization on this its tenth anniversary; and be further

Resolved, That a copy of this resolution be transmitted to the United Nations Organization.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

REQUESTING THE INTERSTATE COMMERCE COMMISSION TO MAKE A PROMPT AND THOROUGH CHECK OF TRUCK COMPLIANCE WITH THE I. C. C. BRAKE REGULATIONS

Mr. WADE offered the following resolution which was twice read as follows:

In the Senate, October 24, 1955.

During the past three weeks three highway accidents —two in Pennsylvania and one just over the line in Maryland—have taken the lives of ten persons, injured others and piled up property damages of hundreds of thousands of dollars.

Each of these accidents involed motor trucks whose brakes failed on long, steep hills. Each truck was owned or leased by persons or corporations outside the Commonwealth of Pennsylvania, and each was engaged in interstate commerce.

Legislation has been introduced in this Chamber to require an auxiliary emergency brake system on trucks. Similar regulations are being prepared for early adoption by the Interstate Commerce Commission, which has jurisdiction over safety of interstate trucking and has facilities for the scientific study and approval of brake systems and safety rules. The Pennsylvania Motor Code provides that trucks have brake systems that comply with I.C.C. requirements.

Even if auxiliary brake system legislation were adopted today in Pennsylvania or by I.C.C., time for compliance and for study and installation would certainly be necessary. Meantime, prompt attention to the truck brake problem is essential; therefore be it

Resolved, That the Interstate Commerce Commission be requested to dispatch to this Commonwealth without delay a sufficient number of qualified investigators to make a prompt and thorough check of truck compliance with the I.C.C. brake regulations upon the highways of the Commonwealth; and be it further

Resolved, That the Commissioner of Pennsylvania State Police, the Secretary of Highways and the Secretary of Revenue of this Commonwealth be directed to make all necessary facilities and assistance available to the investigators of the I.C.C. in this program; and be it further

Resolved, That the organized trucking industry of Pennsylvania, whose work in the field of highway safety is well known, be requested to place its members, staff and facilities at the disposal of the I.C.C. for technical assistance or other aid as required.

RULE 39 SUSPENDED

Mr. WADE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

SENATE CONCURRENT RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO ASCERTAIN CERTAIN INFORMATION REGARDING THE SCHUYLKILL RIVER DESILTING PROJECT

Messrs. DENT and KESSLER offered the following resolution which was twice read as follows:

In the Senate, October 24, 1955.

Whereas, Millions of tons of silt deposits have been removed from the Schuylkill River since the Schuylkill River Desilting Project was initiated in 1945, and

Whereas, Silt impounding basins were constructed to facilitate continuous desilting, and

Whereas, The legislation which established the Schuylkill River Desilting Project provides for a return on the cost of the project through the sale of recovered materials; therefore be it

Resolved (the Huse of Representatives concurring), That the Joint State Government Commission be directed to ascertain the volume and value of marketable anthracite coal and other marketable materials recovered from the operations of the Schuylkill River Desilting Project; the amount realized by the Commonwealth from the sale of recovered materials; and the circumstances surrounding the sale of such recovered materials.

RULE 39 SUSPENDED

Mr. DENT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, Octber 24, 1955.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, November 14, 1955 at 3:30 o'clock, p. m., E.S.T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week it reconvene on Monday, November 14, 1955, at a time to be fixed by the House of Representatives, unless sooner recalled by the Speaker of the House of Representatives.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 954

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 954, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institutin districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for annual salaries for county commissioners and the controller in counties of the second class for services as officers of the institution district.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 229, entitled:

An Act prohibiting certain practices of discrimination because of race color religious creed ancestry age or national origin by employes employment agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent perjudice providing for judicial review and enforcement and imposing penalties.

House Bill No. 954, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and dispositin of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until ablished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for annual salaries for county commissioners and the controller in counties of the second class for services as officers of the institution district.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. WADE. Mr. President, I move that the Senate do now adjourn until Monday, November 14, 1955, at 3:30 o'clock, p. m., Eastern Standard Time.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:42 o'clock, p. m., Eastern Standard Time, until Monday, November 14, 1955, at 3:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, October 24, 1955.

The House met at 2:30 p. m. EST.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend Harold J. Crouse, Pastor of Trinity Lutheran Church, York, offered the following prayer:

Thou great strong, imperial, commanding Christ who are always beautiful, loving and appealing in Thy majesty, teach us that obedience is more kingly than commanding and that he who learns to obey is fit to rule, qualified for leadership and worthy to be entrusted with the keys of democratic government.

O Lord, our God renew with Thy most gracious favor the minds and bodies of these Representatives so that they may have power of initiative, sureness of touch, keen eyes for essentials and directness of decision.

Unto Thee who this day and forever more shall preserve our going out and our coming in be all honor, glory, and praise, throughout all ages, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Friday, October 14, 1955 will be postponed until printed. The Chair hears none.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 172, 340, 459, 656, 680, 682, 705, 925, 1003, 1050, 1173, 1332, 1333, 1338, 1363, 1425, 1426, 1503, 1511, 1534, 1548, 1549, 1550, 1551, 1628, 1637 and 1724.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 22, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 172, Printer's No. 818, entitled "An Act amending the act of June three one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' requiring the Pennsylvania Game Commission to pay unrecovered costs of suit."

GEORGE M. LEADER.

October 21, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 340, Printer's No. 999, entitled "An Act amending the act of April 17, 1947 (P. L. 63) entitled 'An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase lease or condemnation land within said cities with the buildings thereon if any to construct buildings and facilities thereon to operate the same as parking lots or public garages subject to certain conditions or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases' extending the provisions of the act to cities of the second class excluding certain land from condemnation and further regulating the use of parking garages."

GEORGE M. LEADER.

October 22, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 459, Printer's No. 466, entitled "An Act prohibiting operation of boats having a manufacturers horsepower rating in excess of seven and one-half on Quaker Lake in Susquehanna County."

GEORGE M. LEADER.

October 21, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 656, Printer's No. 174, entitled "An Act amending the act of May 4, 1927 (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' increasing the maximum compensation payable to councilmen in boroughs whose population is more than five thousand."

GEORGE M. LEADER.

October 18, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 680, Printer's No. 682, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 84.69 acres more or less of land situate in Butler Township Adams County."

GEORGE M. LEADER.

October 21, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 682, Printer's No. 177, entitled "An Act amending the act of June 25, 1947 (P. L. 928) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class' changing salaries of district attorneys in counties of the sixth class."

GEORGE M. LEADER.

October 22, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 705, Printer's No. 1026, entitled "An Act providing for the payment of certain outstanding checks more than seven years old and making appropriations therefor.'

GEORGE M. LEADER.

October 21, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 925, Printer's No. 264, entitled "An Act amending the act of July 29, 1953 (P. L. 1050) entitled 'An act providing for the acquisition construction improvement operation and maintenance of tunnels for certain highway purposes within the Commonwealth authorizing the issuance of tunnel revenue bonds free from taxation and payable solely from tunnel earn-

ings to pay the cost of such tunnels and improvements thereof providing for the collection of tunnel tolls for the payment of such bonds and for the cost of maintenance operation and repair of the tunnels constituting such bonds legal investments in certain instances prescribing conditions upon which such tunnels shall become free tunnels conferring powers and imposing duties on the Pennsylvania Tunnel Commission created hereby providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act and providing for condemnation' changing the method of procedure by the commission authorizing the Department of Highways to acquire land and interests therein for the commission and to grant the right to use the same and validating prior grants."

GEORGE M. LEADER.

October 22, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1003 Printer's No. 964, entitled "An Act amending the act of May 1 1929 (P. L. 905). enttled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' authorizing the issuance of special permits for a limited period to certain nonresidents."

GEORGE M. LEADER

October 22, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1050, Prnter's No. 341, entitled "An Act fixing the salary of the clerk of the court of oyer and terminer quarter sessions of the peace and of the municipal court and the first and second deputies in Philadelphia and repealing certain legislation."

GEORGE M. LEADER

October 22, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1173, Printer's No. 719, entitled "An Act amending the act of June 23 1931 (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' permitting contributors to the police pension fund to withdraw their increment contributions under certain circumstances."

GEORGE M. LEADER

October 24, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1332, Printer's No. 1039, enttled "An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (Pamphlet Laws 1846) entitled 'An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office' by regulating the salary of mine inspectors."

GEORGE M. LEADER

October 24, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1333, Printer's No. 452, entitled "An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Pamphlet Laws 1132) entitled 'An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor' by further regulating the salary of the first aid and mine rescue instructors."

GEORGE M. LEADER

October 24, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1338, Printer's No. 453, entitled "An Act to further amend the act approved the twenty-fifth day of April one thousand nine hundred forty-five (Pamphlet Laws 289) entitled 'An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector' by regulating the salary of electrical inspectors."

GEORGE M. LEADER

October 22, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1363, Printer's No. 832 entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey fifteen acres of land in East Norriton Township Montgomery County."

GEORGE M. LEADER

October 24, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1425, Printer's No. 538, entitled "An Act amending the act of July 15 1897 (P. L. 287) entitled 'An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth and to provide for the examination of persons seeking employment as miners in the anthracite region and to prevent the employment of incompetent persons as miners in anthracite coal mines and providing penalties for a violaton of the same' establshing Miners Examining Boards in certain counties decreasing the number of miners on each board and changing the method of their appointment

increasing the compensation of board members changing certain powers of the boards and members thereof and increasing examination fees."

GEORGE M. LEADER

October 24, 1955

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1426, Printer's No. 596, entitled "An Act amending the act of June 2 1891 (P. L. 176) entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property conencted therewith' increasing the compensation of members of the examining boards."

GEORGE M. LEADER

October 21, 1955

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1503, Printer's No. 435, entitled "An act amending the act of May 28 1913 (P. L. 367) entitled 'An act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum thereof' removing the limitation on the maximum salary which may be paid to directors or heads of departments in cities of the second class."

GEORGE M. LEADER

October 22, 1955

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1511, Prnter's No. 598, entitled "An Act relating to reciprocal agreements for the interstate transportation and support of the mentally ill."

GEORGE M. LEADER

October 21, 1955

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1534, Printer's No. 502, entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to accept a tract of land and buildings thereon erected in the Borough of California Washington County Pennsylvania containing 25.609 acres for the use of the California State Teachers' College."

GEORGE M. LEADER

October 24, 1955

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1548, Printer's No. 603, entitled "An act amending the act of May 31 1923 (P. L. 481) entitled 'An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foreman assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates' increasing compensation of board members and of the committee of six."

GEORGE M. LEADER

October 24, 1955

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1549, Printer's No. 604, entitled "An act amending the act of April 9 1929 (P. L. 177) entitled "An act providing for reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' increasing the per diem compensation and mileage rate of the members and secretary of the Anthracite Mine Inspectors' Examining Board."

GEORGE M. LEADER

October 24, 1955

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1550, Printer's No. 605, entitled "An Act amending the act of April 29, 1937 (P. L. 551) entitled 'An act prohibiting the employment of miners as herein defined in the bituminous coal mines unless certificated by a miners' examining board providing for the appointment of such boards and defining their powers and duties providing penalties and making an appropriation' increasing per diem compensation of members of miners' examining boards."

GEORGE M. LEADER

October 24, 1955

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1551, Printer's No. 606, entitled "An Act amending the act of April 9 1929 (P. L. 177) entitled 'An act providing for reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' increasing the per diem compensation

and mileage rate of members and secretary of the Bituminous Mine Inspectors' Examining Board."

GEORGE M. LEADER

October 17, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1555, Printer's No. 508, enttled "An Act to amend an act approved the twenty-second day of August one thousand nine hundred fifty-three (Appropriation Acts page 54) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three' by changing the amount appropriated to the Department of Public Instructon."

GEORGE M. LEADER

October 17, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1628, Printer's No. 1041, entitled "An Act making an appropriation to the Department of Public Instruction for payments to school districts on account of rentals payable to municipal authorities and nonprofit corporations."

GEORGE M. LEADER

October 17, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1637, Printer's No. 973, entitled "An Act making an appropriation to the Department of Property and Supplies for the payment of annual rates rentals and other charges to the General State Authority."

GEORGE M. LEADER

October 21, 1955

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1724, Printer's No. 843, entitled "An Act amending the act of May 25 1933 (P. L. 1050) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created' changing the method of computing pensions and providing a method of paying service increments from the pension fund to employes of the bureau of fire after retirement."

GEORGE M. LEADER

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 386

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 22, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 386, Printer's No. 1033, entitled "An Act amending the act of March 26, 1931 (P. L. 8) entitled 'An act to fix the fees to be allowed the district attorney in counties of the second class' providing a fee for services in cases removed to any appellate court of this Commonwealth or to any court of the United States."

This bill provides a fee of $200.00 to be allotted the district attorney in counties of the second class for the disposition of every case in which the record shall have been removed by writ of certiorari or otherwise to any appellate court of this Commonwealth or to any court of the United States for review. This would be in addition to all the fees which are already provided for in the Act of March 26, 1931, P. L. 8, which this bill would amend.

The proposed fee of $200.00 is out of all proportion to the other fees and would place a burden upon all persons taking an appeal. Such a financial burden would operate as a denial of justice and would close the appellate courts to those who felt they must seek justice in the appellate courts.

For these reasons, the bill is not approved.

GEORGE M. LEADER.

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 1676.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 22, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1676, Printer's No. 889, entitled "An Act authorizing townships of the first class in certain cases to convey to a volunteer fire company or association the townships' interests in real property upon approval of the court of common pleas of the county."

This bill authorizes townships of the first class, upon approval of the court of common pleas, after a public hearing to convey the title of real property to the volunteer fire company where land and improvements have been conveyed to a trustee in trust for the use of a volunteer fire company until the time when the township should take over the responsibility of fire protection.

The courts have already been authorized by law to terminate trusts and we believe no useful purpose is to be served by the approval of this bill which is of a special nature and might imply limitations on the courts in other cases of a similar nature.

See Glatfelter Trust Deed Case, 372 Pa. 503 (1953), and the cases of Loechel, Appellant v. Columbia School District, 369 Pa. 132 (1952), and Abel et al. v. Girard Trust Co. et al., 73 A. 2d 682 (1950).

For these reasons, the bill is not approved.

GEORGE M. LEADER.

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, October 24, 1955.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene Monday, November 14, 1955, at 3:30 o'clock p.m., EST, unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene Monday, November 14, 1955, at a time to be fixed by the House of Representatives unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. READINGER. Mr. Speaker, sometime ago the leadership of the House in its wisdom proposed that we recess until December 5th of this year, unless sooner recalled by the Speaker, to take up and pass any urgent bills. After a seeming agreement between the leadership of the Senate and the leadership of the House to allow us to do that, we were blasted in the newspapers by the Republican State Chairman, who among other things went out of his way to say that the Republican Senate would never run away from its work while there was work to be done.

I am very happy now to see a resolution come from the Senate proposing a sensible thing, and that is recessing or adjourning until November 14th.

I say this, not because the election is intervening but because things are in such shape at the present moment that it simply is not advisable to try to meet between now and November 14th. As all of us know, it will be very difficult for the House membership to find accommodations to stay over night on the 14th, or whatever day of that week we might decide to work, but I say despite the injudicious remarks of the Republican State Chairman, the leadership of the Senate has finally agreed with something that we proposed, and that is that we do not try to bring our Members back he at a time when nothing can be accomplished.

How much we can get done during the week of November 14th, at the moment we do not know. We hope to move rapidly after the situation on hotel accommodations has been rectified or the hotels are able to accomodate our Members so that we can adjourn this session as promptly as possible.

I could not let this resolution pass today without calling the attention of the Membership to a statement which made no sense at that time and made no sense at any time. I think we should proceed to do business in this manner. When we can meet and pass bills which should be passed, or do other things which should be done then we should meet, and when we find ourselves in the posi tion we cannot do so then we should recess until such time as we can.

I am asking the Membership to vote for this resolution, and I am hoping that we shall have no more diatribes on the part of the Republican State Chairman. If he wants to criticize the Democratic majority for other things which it does or does not do, that is his privilege, but I think he went off base when he criticized our suggestion of last month.

Mr. JOHNSON. Mr. Speaker, I, of course, am going to vote for the adjournment resolution but I do not think the fact that we have received a message from the Senate to come back on the 14th of November is any surprise.

I have been reading in the newspapers the last two or three weeks that that is the very thing that we were going to do. So the fact that it now comes over emanating from the Senate, as all adjournment resolutions have as I recall so far this year, is nothing unusual. As I say I do not think it is at all surprising that we have the resoluton to adjourn until November 14th, because we have been reading it in the newspapers the last two or three weeks that that is exactly what we were going to do.

Of course, as to what our Republican State Chairman said that there is a job to do and that we should stay here and do the job, those words would be just as true if he said them again today. The job is still here. I know there is an awful lot of talk that we have not passed one tax program and that now the burden has shifted to the Republicans to come up wth a tax program. That is a lot of applesauce in my book and in any legislative tribunal.

We have a constitutional mandate here in the House to orginiate revenue measures and we have a Ways and Means Committee which is well staffed with bright men and women and a good Chairman. There is not any reason why, if we must recess and not come back until the 14th, the Ways and Means Committee can not get on the job and bring another tax program out, one that the people of Pennsylvania will want us all to vote for, one that the newspapers will buy and that business will buy, that everybody will be pleased with, and there is such a vehicle.

True, it is too bad that we are not coming back until the 14th of November but a lot can be done during that interim to solve this tax problem that faces this state of ours. We have a Ways and Means Committee right here in the House, and it is a House function to do the job. Let us do it right here in the House. Let us not say that Republican leaders and Democratic leaders have got to get together and solve this problem, let us do it as a House function where it belongs. Let the House Committee sit down and do the job. Taxes must originate here as I said. We have plenty of time to do it between now and November 14th. Nothing would please me more than to pick up the newspapers and read between now and then that a program has been agreed upon and that we are going to be out of here before Christmas.

I ask the Members on this side to vote for this resoluton.

On the question recurring,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER. The Chair requests the gentleman from Berks, Mr. Readinger, to preside.

Mr. READINGER IN THE CHAIR

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have heard everything now. I have heard about a tax program that the people will buy and welcome, a tax program that the newspapers will buy and welcome, a tax program that the Members of this House, including the Minority, will buy and welcome. If anyone has accomplished that modern miracle of a supremely important tax I wish they would inform, not only the House Ways and Means Committee, but those Members of this House who over many weary months have been in conference with various gentlemen who occupy their time or part of their time, legislating in another place.

Concerning many things I can speak about, I was there, I heard, and I say to you in all seriousness that as long ago as the first of last May I was told by two eminent leaders who legislate in another place not to be silly, because there was not going to be any tax legislation until after election.

We have been saying that and it has been scoffed at in various legislative crcles. The newspapers have taken the statement as so much political guff. It has never been political guff, there is something that has been written on the book, something that has been written on the book, because those who work and legislate in another place work as we do, on a narrow margin and those who work and labor in another place operate on the unit rule. If just two of those who labor in another place say there will not be any tax legislation until after electon they can make it good, unless those who labor in another place decide to lay aside the unit rule.

We have been operating for many, many weary months, with three men determining the course of action of Pennsylvania's General Assembly.

On our side of the House, six Members if they were so inclinded, could prevent the Majority party from operating unless it had Minority party support. That is fact number one.

So far we have been able to command, and I think we will continue to be able to command a constitutional majority in favor of a tax program, but until the minds of three men, those who work in another place, are changed there isn't going to be any tax legislation unless this admnistration, and the legislative leaders on this side of the House have in hand clearly across the space that separates us from those who work in another place and say "we'll surrender. What will you let us do".

As far as I am personally concerned there will be no sine die resolution passed by this House until there has been an agreement upon a tax program other than one that would be forced down our throats by gentlemen holding a legislative pistol.

We will have evidence of good faith during the first two weeks following election. If they have said and they have said and I assure you that they have said it that there wouldn't be any tax legislation until after election, we will find out what their disposition is because within the first two weeks following our reconvening I expect that they will have the opportunity to decide whether or not they will consider a tax program.

I thank the Members of the House.

LEAVE OF ABSENCE

The SPEAKER pro tempore. If there is no objection, the Chair will pass over the order of business of leaves of absence. The Chair hears none.

REPORTS FROM COMMITTEES

Mr. STANK from the Committee on Rules, reported as committed, House Resolution No. 113.

Mr. STANK from the Committee on Rules, reported as committed, House Resolution No. 119.

BILLS ON FIRST READING

Agreeably to order

The House proceeded to the first reading and consideration of House Bill No. 681 entitled:

An Act amending the act of January 5 1952 (P. L. 1833) entitled " An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Socal Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Fefderal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employe contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations" authorizing the State Agency to enter into agreements with the Secretary of Health Education and Welfare further declaring the policy of the General Assembly redefining certain terms providing for contributions by employes of the Commonwealth or political subdivisions and providing for a referendum and certification thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first readng and consideration of House Bill No. 1393 entitled:

An Act amending clauses (1) and (2) of section 2 of the act of June 28, 1951 (P. L. 927), entitled "An act giving liens against real property priority over each in point of time; fixing the time from which priorities extend; and imposing duties on judges and certain court and county officers and employes" provide that future advances made by a mortgagee, or by a grantee of a defeasible deed in the nature of a mortgage, up to the original amount of the mortgage or deed shall have the same priority and lien as the original mortgage or deed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1527 entitled:

An Act for the protection of the public health and welfare and the prevention of fraud and deception in the manufacture preparation packaging dispensing and sale of non-alcoholic drinks and the use and operation of automatic or manual dispensing equipment relative thereto prohibiting the sale offering or exposing for sale exchange or the giving away thereof unless registered providing for licensing of places of manufacture preparation compounding and packaging and the licensing or registration of automatic or manual dispensing equipment regulating the manufacture compounding labeling selling sanitation and the ingredients of non-alcoholic drinks and the

display of presses prohibiting misbranding and adulteration authorizing promulgation of rules regulations and standards providing for penalties and for injunction in certain cases and the disposition of fees and fines

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1755, entitled:

An Act amending the act of June 27 1947 (P. L. 1095) entitled as amended "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permt to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines providing for appeals and imposing penalties and making appropriations" further regulating strip mining operations making changes with respect to backfilling restoration accumulaton of water permits bonds penalties and fees and providing for filing of maps

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1786 entitled:

An Act providing for cooperation by the Commonwealth of Pennsylvania in conjunction with the State of New Jersey with the United States of America in the improvement and maintenance of the Delaware River between Allegheny Avenue Philadelphia Pennsylvania and Trenton Marine Terminal Trenton New Jersey and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1798 entitled:

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvana and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof ncluding the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplimenting the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties" as heretofore amended and supplemented authorizing the Governor of either State to veto the action of any commissioner from his State requiring express authorization by the two states for the construction or acquisition of any additional bridge or port and terminal facility and the administration operation and maintenance thereof and authorizing the Governor to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent to such supplemental compact or agreement

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1818, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania authorizing exemptions of parsonages manses and convents from taxation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 179, entitled:

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," increasing the investment powers of State administrative departments, boards, commissions or officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 722, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances. and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicls, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposed penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of registration plates to newspaper, newsreel or television photographers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. The Chair thanks the gentleman from Berks, Mr. Readinger, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1089, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" defining and providing for the establishment maintenance and the amount of and use of unearned premium reserves the release of unearned premiums reserves for unpaid losses and loss expense and the investment of reserve funds

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1091, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing for and regulating the investments of title insurance companies.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1580, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," regulating employment of building policemen and building guards hereafter appointed.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1685, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negogiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" designating the lake area on which motor boats may be operated limiting the horsepower of the motor boats operated thereon and fixing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. READINGER. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 365, entitled:

An Act regulating the sale and possession of certain dangerous drugs in the interest of public health and imposing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 366, entitled:

An Act amending the act of July 11 1917 (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists durggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" correcting the spelling of the word "cocoa" to coca" and providing for oral prescriptions in certain cases and regulating their use.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 475, entitled:

An Act amending the act of August 22, 1953 (P. L. 1344), entitled "An act relating to marriage and amending revising consolidating and changing the law relating thereto," further regulating the issuance of marriage licenses when applicants are infected with syphilis.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

The SPEAKER. If there is no objection, all other bills on today's calendar will be passed over. The Chair hears none

RESOLUTION

CONGRATULATING THE UNITED NATIONS

Mr. WORLEY offered a resolution and asked and obtained unanimous consent for its immediate consideration

The resolution was read, considered and adopted as follows:

In the House of Representatives, October 24, 1955

The Charter of the United Nations came into force on October 24, 1945, which date has since been observed as "United Nations' Day"; therefore be it

Resolved, That the House of Representatives of the General Assembly of Pennsylvania congratulate the United Nations on this its tenth anniversary for its accomplishments in bringing about better world conditions

looking towards the establishment of lasting world peace; and be it further

Resolved, That copies of these resolutions be transmitted to Honorable Henry Cabot Lodge, Jr., Permanent Representative of the United States to the United Nations, and Honorable Dag Hammarskjold, Secretary General, United Nations.

PERMISSION TO ADDRESS HOUSE

Miss LEIBY asked and obtained unanimous consent to address the House.

Mr. Speaker, I do not like something which happened. A Representative from Erie County came to the City of Allentown and used language that I certainly think is not proper in describing the Democratic party. Among other things, he said that Leader's administration was "the worst administration in the history of Pennsylvania;" that there is "a complete lack of integrity in this administration" and it "consists of nothing but waste and inefficiency."

When this Republican Representative from Erie said that we are "trying to build up the greatest slush fund in the history of the state" he is speaking as a representative of a party that has been buying elections ever since the turbulent days of Matt Quay and Boise Penrose. He speaks as a representative of a party which over sixteen years destroyed the meaning of integrity in state government. He speaks as the representative of a party which has its Joe Pews, Dick Mellons and Joe Grundys, all multimillionaire experts in the art of creating gigantic slush funds for political purposes.

I can scarcely see how Mr. Waterhouse can judge that the Leader administration is the worst in history, when it has only been in office nine months and in that time it has devoted its energies to cleaning up the catastrophe of mismanagement and deficit financing that can be laid squarely at the doors of four inept Republican administrations.

The problems of the Leader administration are inherited problems. We didn't create them. We are simply trying to clean them up to restore the meaning of solvency and honor and decency to the operation of state government.

Mr. Waterhouse made sneering reference to $100 Democratic dinners as though the Republicans never heard of them as a fund raising method. Actually, the money raised by the Republicans at their $100 dinners is peanuts compared to the vast sums poured into their party war chest by the Pews, the Mellons and the Grundys.

It is a serious charge when Mr. Waterhouse said that the Leader — — —

The SPEAKER. The Chair would suggest that the Lady do not refer to a Member concerning matters not said upon the floor of the House.

Miss Leiby. Well the charge that was made —— —

The SPEAKER. She can say someone said it, but not use the name of a Member of the House concerning matters said outside the House.

Miss LEIBY. It is a serious charge that this Representative from Erie County made, that the Leader administration is blackjacking contractors doing business with the Sate. I notice he has offered no proof of his allegation nor is he likely to, because he has picked that one out of thin air. He is trying for a bit of political sensationalism in a desperate effort to bolster the defeatism that is rampant in Republican ranks.

What the gentleman does not know is that in our last campaign Mr. Leader, myself and the other Representatives from Lehigh County had the support of a great number of Republicans who had wearied of the kind of leadership dominating the Republican state organization.

Whatever the problems of the Leader administration are they have been accented by 26 stubborn men who represent the Republican majority in the State Senate. The Democratic House has passed all legislation by which Governor Leader has kept his campaign pledges.

The Republicans, by their obstructionism, make it apparent they are fearful that Governor Leader will solve in the first year of his administration the financial mess that the Republicans created and compounded over 16 years.

When this gentleman sheds crocodile tears for education, let him remember this, it was the Democratic party that gave Pennsylvania the Teacher's Tenure Act, the greatest single boon to education in the state history. The Democratic party has always taken the lead in advancing the cause of education in this state.

Does this gentleman know that the so-called budget experts of the Republican party deliberately slashed $26,000,000 from Governor Leader's budget for education? Does that look as though they were sincerely interested in school teachers and in promoting and developing new schools for the benefit of our children? I think not.

By their willful opposition to every good feature of the Governor's legislative program, the Republicans have shown a callous disregard for parliamentary procedure. They are not interested in making laws that will help the Commonwealth as a whole. They are interested solely in playing politics, with an eye on next year's election, regardless of the crippling effect it has had upon state services and the welfare of our people.

BILLS INTRODUCED AND REFERRED IN THE HOUSE

By Messrs. VAUGHAN and SARRAF House Bill No 1848

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," excluding the weight of safety devices in determining gross weight.

Referred to the Committe on Motor Vehicles.

By. Mr. WILLIAMS House Bill No. 1849

An Act amending the act of May 31, 1945 (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining

of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," further regulating mining operations; requiring the filing of maps; changing provisions with respect to registration, bonds, backfill, overburden, enforcement of the act and penalties; and providing for the payment of fines into a special fund.

Referred to the Committee on Mines and Mining.

RESOLUTIONS INTRODUCED AND REFERRED

Br. Mrs. VARALLO and Mr. JUMP Resolution No. 122

In the House of Representatives, October 24, 1955

Before World War II medical doctor diplomas granted by the Italian medical schools were recognized as sufficient to pass the licensure examinations of all the states of the Union, in accordance with an international agreement between the United States of America and Italy, which terminated at the beginning of the hostilities.

After the end of World Warr II and the resuming of friendly relations between the two countries, many states of the Union have again recognized medical doctor diplomas of the Italian medical schools, among which are: New York Connecticut, New Jersey, Illinois and California. Two of the aforementioned states are border states to the Commonwealth of Pennsylvania.

The Commonwealth of Pennsylvania, through the State Board of Medical Education and Licensure, by action taken on December 13, 1951, and officially communicated to the Italian Consul General in Philadelphia on December 17, 1951, ruled to "accept for internship and licensure in Pennsylvania only graduates from foreign medical schools that are recommended for approval by a recognized accrediting agency such as the American Medical Association. The credentials of each applicant, however, must be evaluated and approved by the Board even though the medical school has been recommended for approval by the American Medical Association."

Italian universities admit to the medical schools, American students only after a very careful screening through the local Italian Consulate, an advisory board of New York, named by the Board of Medical Examiners of the State of New York, the Italian Foreign Ministry and finally the academic board of the Italian medical school chosen by the American applicant.

The ruling of the Pennsylvania State Board of Medical Education and Licensure will oblige new doctors to spend years away from their families so as to obtain the licensure in one of the border States of New Jersey or New York, after which they will be automatically licensed also for Pennsylvania. This imposes further financial burdens, hardships and many inconveniences to the future doctors and to their families.

It would be proper for the Pennsylvania State Board of Medical Education and Licensure to follow the example of New York, New Jersey, Connecticut, Illinois and California, and admit directly the doctors licensed by Italian medical schools to take their licensure in Pennsylvania through direct evaluation and approval by the State Board of Medical Education and Licensure; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania protests the regulation, relating to acceptance for internship and licensure of graduates of medical schools in foreign countries, made by the Pennsylvania State Board of Medical Education and Licensure on December 31, 1951, as being unreasonable; and be it further

Resolved, That the Pennsylvania State Board of Medical Education and Licensure is hereby urged to promulgate rules and regulations relating to internship and licensure of graduates of foreign medical schools similar to the progressive States of New York, New Jersey, Connecticut, Illinois and California and to license graduates of medical schools in foreign countries after evaluation and approval by the Board of Medical Education and Licensure.

Referred to the Committee on Rules.

By Mr. FRANK. (Concurrent) RESOLUTION No. 123.

In the House of Representatives, October 24, 1955.

The beer and ale brewed in this great Commonwealth, although perhaps not known nationally, are of as fine a quality, body and taste as any nationally known brand. In adition to the fine qualities brewed, the breweries in this State have contributed greatly in the past years to the economic wealth and leadership of Pennsylvania by employing thousands of our citizenry in the breweries whose wages were in turn spent in this Commonwealth. In order to maintain the standing of an economic leader, every citizen as well as the General Assembly of this Commonwealth must utilize every means possible, including legislation if necessary, to promote the sale in the Commonwealth of Pennsylvania-brewed beer and ale as well as other goods. However, there are certain areas in Pennsylvania, namely Federal naval and military installations, where the Legislature has no jurisdiction to require that Pennsylvania beer and ale be sold. At such military and naval installations, great quantities of nationally advertised beer and ale are sold but little or no Pennsylvania-brewed beverages. The income from the sale of out of State beer and ale on such Federal installations is of no benefit to the Commonwealth. It seems only fair that some economic benefit should be derived by this great State in which the military or naval installations is situate; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania recommend to the Secretary of Defense, Charles Wilson, that rules or regulations be promulgated requiring each military or naval establishment within this Commonwealth to stock and sell, along with other brands, at least two brands of Pennsylvania-brewed or malt beverages, or if the Secretary of Defense has no authority to require such sale, that the General Assembly memorialize the Congress of the United States to enact appropriate legislation requiring the sale of at least two brands of Pennsylvania-brewed or malt beverages at such installations, and be it further

Resolved, That copies of this resolution be transmitted to the Secretary of Defense, Charles Wilson, to the presiding officers of each house of Congress of the United States, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 954.

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating

to the care of the poor and repealing existing laws" providing for annual salaries for county commissioners and the controller in counties of the second class for services as officers of the institution district

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 12 by striking out at the beginning of the line the words "in all counties" and inserting in lieu thereof the following: "and the controller in counties of the second class;" page 2, line 13, by striking out after the word "class" the following: "in counties of the second class." Amend Section 1, page 3, line 1, by striking out after the word "district" the words "each commisisoner and" and inserting in lieu thereof the following: "each commisisoner and the controller in second class counties shall receive an additional annual salary of two thousand five hundred dollars ($2500) and"; Section 1, page 3, lines 4, 5 and 6, by striking out after the word "and" the following: "in counties of the second class shall receive an additional annual salary of twenty-fice hundred dollars ($2500);" Section 1, page 3, line 10, by striking out bracket after the word "in"; page), line 10, by striking out after the second word "in" the following: "shall receive an additional annual salary as follows (1) in second class counties twenty-five hundred dollars ($2500) (2) in third class counties two thousand dollars ($2000) (3) in fourth class counties fifteen hundred dollars ($1500) (4) in fifth class counties one thousand dollars ($1000) (5) in sixth class counties seven hundred fity dollars ($750) (6) in seventh class counties one thousand dollars ($1000) (7) in eighth class counties five hundred dollars ($500)."

On the question,

Wil lthe House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adam,	Frascella,	Maxwell,	Sarraf,
Agnew,	Frost,	McCann,	Scarcelli,
Amarando,	Gaffney,	McCormack,	Schuster,
Anderson, M. S.,	Garlock,	McGee,	Sherman,
Anderson, S. A.,	Gelfand,	McLaughlin,	Sigman,
Ashton,	Gibson,	McWherter,	Smith, C. C.,
Auker,	Goldstein,	Meholchick,	Smith, Wm. B.,
Banker,	Gramlich,	Metz,	Snider,
Barnatovich,	Greenwood,	Mihm,	Stank,
Bazin,	Guss,	Mikula,	Stebbins,
Bell,	Hamilton, R. K.,	Miller,	Steckel,
Boies,	Hass,	Mills,	Stephens,
Bonner,	Haudenshield,	Monroe,	Stevenson,
Boory,	Heavey,	Moody,	Stone,
Bower,	Henzel,	Moran,	Stoner,
Branca,	Hocker,	Moscrip,	Strausser,
Breisch,	Holt,	Mullen,	Stroup,
Brennan, A. P.,	Horst,	Munley,	Swartz,
Brennan, J. J.,	Houk,	Murphy,	Taylor,
Breth,	Isaacs,	Murray, H. P.,	Thomas,
Brown,	Jenkins,	Murray, J. J.,	Thompson,
Bucchin,	Johnson,	Murray, P. G.,	Toll,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Naugle,	Varallo,
Cianfrani,	Jump,	Needham,	Varner,
Cioffi,	Kamyk,	Ogilvie,	Vaughan,
Cochran,	Kehler,	Olsen,	Verona,
Comer,	Kent,	O'Neil,	Wall,
Connelly,	Knecht,	Pacchioli,	Wallace,
Cooper,	Kolankiewicz,	Parry,	Walsh,
Curwood,	Kooker,	Paulhamus,	Wargo,
Davis,	Kornick,	Petrosky,	Waterhouse,
Donahue,	Kromer,	Pettigrew,	Weidner,
Donaldson,	Kubacki,	Polaski,	Welsh,
Dougherty,	Lawyer,	Polen,	Wescott,
Down,	Leiby,	Price,	Wheeler,
Ehrgood,	Leisey,	Pursley,	Whitenight,
Erb,	Leonard,	Readinger,	Willaredt,
Eshleman,	Leven,	Reibman,	Williams,
Ewing,	Light,	Reidenbach,	Wilt,
Farabaugh,	Limper,	Renwick,	Wood,
Filo,	Lopresti,	Rigby,	Worley,
Fineman,	Lovett,	Rosen,	Yetter,
Flint,	Lutty,	Rovansek,	Yetzer,
Floyd,	Magee,	Royer,	Young,
Flynn,	Mahan,	Rubin,	Ziegler,
Frank,	Markley,	Rudisill,	Andrews, Speaker

NAYS—0

NOT VOTING—22

Blair,	Guthrie,	Kratz,	Muldowney,
Brenninger,	Hamilton, W. H.,	Lafore,	Pashley,
Eilberg,	Helm,	Lippincott,	Pomeroy,
Foster,	Hewitt,	McInroy,	Spencer,
George,	Keller,	McKeever,	Tompkins,
Gibb,	Kline,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 229

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 229.

An Act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry or national origin by employers, employment agencies, labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission defining its functions, powers and duties, providing for procedure and enforcement, providing for formulation of an educational program to prevent prejudice, providing for judicial review and enforcement and imposing penalties.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 954.

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing exist-

ing laws providing for annual salaries for county commissioners in all counties and the controller in counties of the second class for services as officers in the institution district.

HOUSE BILL No. 229.

An Act prohibiting certain practices of discrimination because of race color religious creed ancestry age or national origin by employers employment agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent prejudice providing for judicial review and enforcement and imposing penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. PRICE. Mr. Speaker, I move that this House do now adjourn until Monday, November 14, 1955 at 3:30 p. m. EST.

The motion was agreed to, and (at 4:07 p. m., EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., MONDAY, NOVEMBER 14, 1955. No. 104.

SENATE

MONDAY, November 14, 1955.

The Senate met at 3:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev.-Father MATTHEW A. YANOSEK, Pastor of Holy Trinity Church, Ford City, offered the following prayer:

In the Name of the Father, of the Son and the Holy Spirit.

Eternal and Everlasting God, our Heavenly Father, pour forth we beseech Thee Thy graces into all hearts this day, that the Members of the Senate, chosen by the people of this Commonwealth, may have open minds to know the right. Deepen their wisdom and awaken in them a desire to act for the common welfare of the people they represent.

We humbly beg Thee that through Thy grace they may be permitted to serve Thee before they serve themselves, and find the blessed place above parties and personalities in the performance of their duties.

Bless the Governor, his Cabinet and officers, as well as all who in any way affect the lives of the people of this Commonwealth. Grant them those lights and graces that are necessary for the perfect discharge of their duty to Thee and to the people, through Christ our Lord, Amen.

In the Name of the Father, the Son and the Holy Spirit.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. CHAPMAN, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE PENNSYLVANIA FISH COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph M. Critchfield, Confluence, Somerset County, for appointment as a member of the Pennsylvania Fish Commission, until the second Tuesday of January 1958, and until his successor is appointed, to fill a vacancy.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clayton G. Sleek, P. O. 529, Govier Lane, Johnstown, for appointment as Justice of the Peace in and for the Township of Conemaugh, Somerset County, to serve until the first Monday of January 1956, vice John F. Anderson, deceased.

GEORGE M. LEADER.

MEMBER OF THE PENNSYLVANIA AERONAUTICS COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Pennsylvania Aeronautics Commission:

Col. Phlilip F. Neuweiler, Commander, Pennsylvania Wing, Civil Air Patrol, Allentown, Lehigh County, to serve until June 2, 1959, and until his successor shall be duly appointed and shall have qualified, vice Dr. Ralph C. Hutchison, Easton, whose term expired.

Louis R. Inwood, Director of Aviation, City of Philadelphia, International Airport, Philadelphia, Philadelphia County, to serve until June 2, 1957, and until his successor shall be duly appointed and shall have qualified, vice John Henry Leh, Allentown, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles T. Benner, Saxton, Bedford County, for appointment as a member of the Board of Trustees of Hollidaysburg State Hospital, for the term of four years and until his successor is appointed and qualified, vice Maurice F. Clouse, Waterside, removed from office.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Selinsgrove State School, for the term of four years and until their successors are appointed and qualified:

Edward B. Freck, Island Park, Northumberland, Northumberland County, vice Wm. T. MacCreadie, Lewisburg, resigned.

C. Olan Dimm, R. D. 2 ,Mifflintown, Juniata County, vice Paul V. Leitzel, Richfield, removed from office.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bayard S. Johnston, Sr., 212 South 11th Street, Akron, Lancaster County, for appointment as Justice of the Peace in and for the Borough of Akron, Lancaster County, to serve until the first Monday of January 1958, vice George F. Weidler, resigned.

GEORGE M. LEADER.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph J. Vincent, 95 Lexington Avenue, New York, New York, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New York, for the term of five years, to compute from the date of confirmation.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gerald L. Lowe, 406 Fairview Avenue, West Fairview, Cumberland County, for appointment as Justice of the Peace in and for the Borough of West Fairview, Cumberland County, to serve until the first Monday of January, 1958, vice L. Ira Cargill, resigned.

GEORGE M. LEADER.

MEMBERS OF THE SULLIVAN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Sullivan County Board of Assistance:

Stephen Chervak (Dem.), Mildred, to serve until December 31, 1957, and until his successor is duly appointed and qualified. (Reappointment)

Vell C. Holcombe (Rep.), Dushore, to serve until December 31, 1956, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Juanita Burnasky (Dem.), Box 77, Lopez, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Miss Anne E. Yarosh, Lopez, whose term expired.

Roscoe Burgess (Rep.), R. D. 1, Forksville, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Mrs. Susan Morgan, Shunk, whose term expired.

Frank Rohe (Dem.), Dushore, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Frank J. Bendinsky, Mildred, whose term expired.

Mrs. Gladys Hallabuk (Dem.), Box 74, Muncy Street, Laporte, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Harry Haywood, Eagles Mere, resigned.

Fred D. Starr (Rep.), Muncy Valley, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice Mrs. Marie Kanally, Hillsgrove, whose term expired.

GEORGE M. LEADER.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

To the General Assembly of the Commonwealth of Pennsylvania:

By authority vested in me by the Reorganization Act of 1955, Act No. 8, I transmit herewith Reorganization Plan No. 2 of 1955. This transfers from the Department of Public Instruction to the Department of State duties imposed by the Act of May 13, 1925, P. L. 644, as amended. This measure relates to the issuance of certificates to parties who solicit for charitable purposes.

This transfer of functions is a step in the direction of freeing the over-burdened Department of Public Instruction from responsibilities which are not directly related to schools and education. At the same time this transfer is a step toward the concentration of widely-dispersed licensing activities in one of the smaller departments—the Department of State. Because, I believe, the transfer will make for more efficient and economical operation of State government I urge its favorable consideration by the General Assembly.

GEORGE M. LEADER
Governor

Date: November 14, 1955.

Transmitted to the General Assembly on November 14, 1955.

REORGANIZATION PLAN No. 2 OF 1955.

Section 1. The functions of the Department of Public Instruction as set forth in the Act of May 13, 1925, P. L. 644, and its amendments, are transferred from the department to the Department of State.

Section 2. There are hereby transferred to the Department of State to be used, employed and expended in connection with the functions transferred by Section 1 of this Reorganization Plan the records and equipment now being used or held in connection with such functions; and the unexpended balances of appropriations or other funds available or to be made available for use in connection with such functions.

Section 3. The Act of May 13, 1925, P. L. 644, as amended, is suspended in so far as it is in conflict with this Reorganization Plan.

RESOLUTION

In the Senate, November 14, 1955.

Resolved, that Reorganization Plan No. 2 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be approved.

RESOLUTION

In the Senate, November 14, 1955.

Resolved, that Reorganization Plan No. 2 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be disapproved.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

To the General Assembly of the Commonwealth of Pennsylvania:

By authority invested in me by the Reorganization Act of 1955, Act No. 8, I transmit herewith Reorganization Plan No. 3 of 1955. This measure transfers the functions, powers, and duties of the State Board of Funeral Directors from the Department of Health to the Department of State.

The transfer recommended is a step in the direction of freeing the Department of Health from duties which are not directly related to its principal purposes. At the same time it is a step toward concentrating widely-dispersed licensing activities in one department—the Department of State. Because I believe this transfer will make for more efficient and economical operation of State government and consolidate functions as nearly as may be according to major purposes, I recommend its approval by the General Assembly.

GEORGE M. LEADER
Governor.

Dated: November 14, 1955.

Transmitted to the General
Assembly on November 14, 1955.

REORGANIZATION PLAN No. 3 OF 1955.

Section 1. The State Board of Undertakers, renamed the State Board of Funeral Directors by the Act of January 14, 1952, P. L. 1898, together with its functions, powers and duties, is transferred from the Department of Health, where it has been a departmental administrative board, to the Department of State, where it shall be a departmental administrative board, with the same status under the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, as that of departmental administrative boards.

Section 2. There are hereby transferred to the Department of State, to be used, employed and expended in connection with the functions transferred by Section 1 of this Reorganization Plan, the records, equipment and personnel now being used, held or employed in connection with such functions; and the unexpended balances of appropriations, allocations and other funds available or to be made available for use in connection with such functions.

Section 3. The functions of the Secretary of Health, under Section 419 of The Administrative Code of 1929, and its amendments, are transferred to and shall be exercised by the Secretary of the Commonwealth.

Section 4. The functions of the Department of Health, under the Act of January 14, 1952, P. L. 1898, known as the "Funeral Director Law" and its amendments, are transferred to and shall be exercised by the Department of State.

Section 5. The following acts and parts of acts are suspended as particularly set forth:

The Act of January 14, 1952, P. L. 1898, known as the "Funeral Director Law," and its amendments, in so far as they are in conflict with this Reorganization Plan.

Section 202 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, in so far as it affects the location of the State Board of Undertakers, renamed the State Board of Funeral Directors by the Act of January 14, 1952, P. L. 1898, in the Department of Health.

Section 419 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, in so far as it imposes functions, powers and duties on the Secretary of Health, and in so far as the name "State Board of Undertakers" is concerned.

Section 2112 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, in so far as the name "State Board of Undertakers" is concerned.

RESOLUTION

In the Senate, November 14, 1955.

Resolved, that Reorganization Plan No. 3 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by refernce, be approved.

RESOLUTION

In the Senate, November 14, 1955.

Resolved, that Reorganization Plan No. 3 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be disapproved.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

To the General Assembly of the Commonwealth of Pennsylvania:

By authority vested in me by the Reorganization Act of 1955, Act No. 8, I transmit herewith Reorganization Plan No. 4 of 1955. This plan transfers the following boards, and their powers, functions, and duties, from the Department of Public Instruction to the Department of State:

State Board of Medical Examination and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Nurse Examiners
State Board of Barber Examiners
State Board of Cosmetology
State Board of Veterinary Medical Examiners
State Board of Examination of Public Accountants
State Board of Examiners of Architects
State Registration Board for Professional Engineers
State Board of Chiropractic Examiners
State Real Estate Commission

The transfer of these boards from the overburdened Department of Public Instruction is a step in the direction of freeing the department from functions which are not directly related to schools and education. At the same time it is a step toward concentrating widely-dispersed licensing activities in one department—the Department of State, thus grouping and consolidating agencies as nearly as may be according to major purposes. Because I believe these transfers will make for more efficient and economi-

cal operation of State government, I recommend their approval by the General Assembly.

GEORGE M. LEADER
Governor.

Dated: November 14, 1955.

Transmitted to the General Assembly
on November 14 1955.

REORGANIZATION PLAN No. 4 OF 1955.

Section 1. Certain agencies and functions of the Department of Public Instruction are transferred from the Department of Public Instruction to the Department of State as herein provided.

Section 2. The State Board of Medical Examination and Licensure, the State Board of Pharmacy, the State Dental Council and Examining Board, the State Board of Optometrical Examiners, the State Board of Osteopathic Examiners, the Osteopathic Surgeons' Examining Board, the State Board of Nurse Examiners, the State Board of Barber Examiners, the State Board of Cosmetology, the State Board of Veterinary Medical Examiners, the State Board of Examination of Public Accountants, the State Board of Examiners of Architects, the State Registration Board for Professional Engineers, the State Board of Chiropractic Examiners, the State Real Estate Commission, and the powers and duties vested in and imposed upon them by law, are transferred from the Department of Public Instruction where the above boards have been departmental administrative boards and commissions, to the Department of State, where the boards shall be departmental administrative boards and commissions, with the same status under the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, as that of departmental administrative boards and commissions.

Section 3. The functions of the Superintendent of Public Instruction under Sections 412, 413, 414, 415, 416, 417, 418, 420, 421, 422, 425, 453, 459, 461 and 462 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, are transferred to and shall be exercised by the Secretary of the Commonwealth.

Section 4. The following functions, powers and duties vested in the Department of Public Instruction under clauses (e), (g) (h), (i), (j), (k) and (l) of Section 1304, and Section 1304.1 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and their amendments, are transferred and vested in the Department of State:

(1) To establish reciprocity with other states as regards professional licenses issued by the department.

(2) To keep the records of all of the professional examining boards established in the department in the City of Harrisburg, Dauphin County, Pennsylvania.

(3) To issue all certificates and other official documents of the various professional examining boards in the department. The officers and members, or any of them, of any such examining board, may also sign such certificates and other documents, if the board shall have taken action authorizing such signatures.

(4) To assist any professional examining board within the department, if, as and when, requested by the board.

(5) To cooperate with the several professions whose examining bodies are within the department, in the determination and establishment of standards for professional education.

(6) Whenever under any Act of Assembly, enacted at the Session of the General Assembly at which this Reorganization Plan was effected, or at any subsequent Session of the General Assembly, the right to practice any profession or work at any trade or occupation, shall be conditioned upon examination, licensure, or registration by or within the department, unless otherwise provided by law, to hold the examinations, make such investigations, require such information, and do and perform all other acts which may be necessary to determine whether applicants for licensure or registration are qualified to practice the profession or work at the trade or occupation within this Commonwealth and in proper cases to issue licenses and certificates of registration. In performing its duties under this clause, the department shall appoint an advisory committee, of not more than five members, of each profession, trade, or occupation, applicants to practice or work at which are examined and licensed hereunder. Each such committee shall assist the department in holding examinations, and passing upon information submitted. Members of every advisory committee, appointed by the department under the authority hereby conferred, shall serve at the pleasure of the department, and shall be compensated at the rate of fifteen dollars per diem for each day of service rendered to the department, and shall receive the expenses actually incurred by them while engaged in assisting the department, as herein provided, the payment of such expenses, however, to be subject to the rules and regulations of the Executive Board.

(7) Unless otherwise provided by law, to fix the fees to be charged by the several professional examining boards within the department.

(8) If any person, association, copartnership, or corporation shall obtain a certificate, license, permit, or registration by fraud or misrepresentation, from the Department of State or the responsible administrative agency, board, or commission therein, such department, administrative agency, board, or commission shall have the power to cancel such certificate, license, permit, or registration, after giving reasonable notice and opportunity to be heard.

Section 5. There are hereby transferred to the Department of State, to be used, employed and expended in connection with the functions, powers and duties transferred by this Reorganization Plan, the records, equipment and personnel now being used, held or employed in connection with such functions, powers and duties; and the unexpended balances of appropriations, allocations and other funds available or to be made available for use in connection with such functions, powers or duties.

Section 6. (a) The following acts and parts of acts are suspended in so far as they are in conflict with the provisions of this Reorganization Plan:

(1) The Act of March 19, 1909, P. L. 46, entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," and its amendments.

(2) The Act of June 3, 1911, P. L. 639, entitled, as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith," and its amendments.

(3) The Act of March 30, 1917, P. L. 21, entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," and its amendments.

(4) The Act of May 17, 1917, P. L. 208, entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison"; and providing for the appointment of a board which shall

have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength and purity," and its amendments.

(5) The Act of July 12, 1919, P. L. 933, entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners; defining the powers and duties of said board of examiners; and providing penalties for the violation of this act," and its amendments.

(6) The Act of May 13, 1927, P. L. 988, entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," and its amendments.

(7) The Act of May 1, 1929, P. L. 1216, known as the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," and its amendments.

(8) The Act of June 19, 1931, P. L. 589, entitled, as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools and apprentices and students therein; regulating compensation for services rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," and its amendments.

(9) The Act of May 1, 1933, P. L. 216, known as "The Dental Law," and its amendments.

(10) The Act of May 3, 1933, P. L. 242, entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," and its amendments

(11) The Act of April 27, 1945, P. L. 321, known as "The Veterinary Law."

(12) The Act of May 23, 1945, P. L. 913, known as the "Professional Engineers Registration Law."

(13) The Act of May 26, 1947, P. L. 318, known as "The C. P. A. Law," and its amendments.

(14) The Act of May 22, 1951, P. L. 317, known as "The Professional Nursing Law."

(15) The Act of August 10, 1951, P. L. 1182, known as the "Chiropractic Registration Act of 1951," and its amendments.

(16) Clauses (e), (g), (h), (i), (j), (k) and (l) of Section 1304 and Sections 1304.1 and 1310 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and their amendments.

(b) The following acts and parts of acts are suspended as particularly set forth:

(1) Section 202 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, as it effects the location of the State Board of Medical Education and Licensure, the State Board of Pharmacy, the State Dental Council and Examining Board, the State Board of Optometrical Examiners, the State Board of Osteopathic Examiners, the Osteopathic Surgeons' Examining Board, the State Board of Nurse Examiners, the State Board of Barber Examiners, the State Board of Cosmetology, the State Board of Veterinary Medical Examiners, the State Board of Chiropractic Examiners, the State Board for the Examination of Public Accountants, the State Board of Examiners of Architects, and the State Registration Board for Professional Engineers, in the Department of Public Instruction.

(2) Sections 412, 413, 414, 415, 416, 417, 418, 420, 421, 422, 425, 459, 461 and 462 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and their amendments, in so far as they impose functions, powers and duties on the Superintendent of Public Instruction.

RESOLUTION

In the Senate, November 14, 1955.

Resolved, that Reorganization Plan No. 4 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be approved.

RESOLUTION

In the Senate, November 14, 1955.

Resolved, that Reorganization Plan No. 4 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be disapproved.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

To the General Assembly of the Commonwealth of Pennsylvania:

By authority vested in me by the Reorganization Act of 1955, Act No. 8, I transmit herewith Reorganization Plan No. 5 of 1955. This transfers from the Department of Welfare to the Department of Justice the supervision, visiting, and inspection of prisons and jails maintained by counties, cities, boroughs and townships.

This transfer is intended to complete the action begun in 1953 when responsibility for State prisons was transferred from the Department of Welfare to the Department of Justice. The transfer now recommended will place the Commonwealth's responsibility for all matters relating to prisons, in one agency—the Department of Justice. In my opinion this will result in improved administration, efficiency and economy, and will coordinate and consolidate agencies and functions of the government as nearly as may be according to major purposes. Accordingly, I recommend favorable consideration of the transfer by the General Assembly.

GEORGE M. LEADER,
Governor.

Dated: November 14, 1955.

Transmitted to the General
Assembly on November 14, 1955.

REORGANIZATION PLAN No. 5 OF 1955.

Section 1. The functions, powers and duties of the Department of Welfare with regard to the supervision, visiting and inspection of prisons and jails maintained by counties, cities, boroughs or townships, as set forth in clause (b) of Section 2303, and Sections 2304 and 2305 of The Administration Code of 1929, and their amendments, are transferred to the Department of Justice.

Section 2. There are hereby transferred to the Department of Justice to be used, employed and expended in connection with the functions, powers and duties transferred by Section 1 of this Reorganization Plan, personnel, contract obligations, if any, records, files, property, supplies and equipment now being used or held in connection with such functions, powers and duties, and the unexpended balances of appropriations, allocations and other funds available or to be made available for use in connection with such functions, powers and duties.

Section 3. Clause (b) of Section 2303, and Sections 2304 and 2305 of The Administrative Code of 1929, and their amendments, are suspended in so far as they may confer functions, powers and duties on the Depratment of Welfare with regard to the supervision, visiting and inspection of prisons and jails maintained by counties, cities, boroughs or townships.

Section 4. All the duties and responsibilities of the Department of Welfare set forth in the Act of April 5, 1872, P. L. 42, are hereby transferred to the Department of Justice and the provisions of said act are hereby suspended in so far as they confer powers and duties on the Department of Welfare.

RESOLUTION

In the Senate, November 14, 1955.

Resolved, that Reorganization Plan No. 5 of 1955, trans-

mitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be approved.

RESOLUTION

In the Senate, November 14, 1955.

Resolved, that Reorganization Plan No. 5 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be disapproved.

The PRESIDENT. Reorganization Plan Nos. 2, 3, 4 and 5 will appear on tomorrow's Calendar.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 218, entitled:

An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes, receiver of school taxes, school treasurer, board of public education in such districts and courts, providing for compensation to certain officers and employes and imposing penalties" by providing for the method of valuation of taxable shares of stock in any regulated investment company.

Senate Bill No. 531, entitled:

An Act amending the act of May 3, 1909 (P. L. 413), entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land, the price to be paid for the same, the convelance to the State Forestry Reservation Commission, where desirable for forest culture or forest preservation, preventing the granting of warrants for the beds of navigable rivers, and providing for acceptance of returns of surveys without limitation as to execess or surplus," providing for and regulating the granting of easements in across and under the beds of navigable rivers for sewer lines and other facilities of sewage treatment systems.

Senate Bill No. 643, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth, prohibiting budget planning business and prescribing for violation thereof.

Whereupon,

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 12, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of County Boards of Assistance:

FAYETTE COUNTY

Samuel A. Seehoffer (Dem.), 575 East Main Street, Laurel Terrace, Uniontown, to serve until December 31, 1957 and until his successor is duly appointed and qualified, vice J. S. Hackney, Point Marion.

WARREN COUNTY

Gerald M. Newton (Dem.), 14 Jackson Street, Warren, to serve until December 31, 1955, and until his successor is duly appointed and qualified, to fill a vacancy.

WAYNE COUNTY

William Epstein (Dem.), 1708 West Street, Honesdale, to serve until December 31, 1957, and unitl his successor is duly appointed and qualified, vice Mrs. Martha Parks, Honesdale, resigned.

Mrs. Sarah Jones (Dem.), Lake Ariel, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice William Robacker, South Sterling, whose term expired.

Mrs. Mary Nebzydoski (Dem.), Pleasant Mount, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice Robert Gilchrist, Lake Como, whose term expired.

Mrs. Hazel Hill (Rep.), Fairview Avenue, Honesdale, to serve until December 31, 1955, and unitl her successor is duly appointed and qualified, vice Horace Glover, Starrucca.

Emeric Hirsch (Rep.), Main Street, Hawley, to serve until December 31, 1955, and until his successor is duly appointed and qualified vice Charles C. Marshall, Hawley, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas J. Gillin, Box 5, McClellandtown, Fayette County, for appointment as Justice of the Peace in and for the Township of German, Fayette County, to serve until the first Monday of January 1958, vice Luke Gillen, deceased.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 5, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas E. Shipley, Meyersdale, Somerset County, for appointment as a member of the Board of Trustees of Somerset State Hospital, for the term of four years and until his successor is appointed and qualified, vice Anthony J. Anodide, Somerset, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Somerset State Hospital, for the term of four years and until their successors are appointed and qualified:

Ward W. Crist, Windber, Somerset County, from September 24, 1954.

Dr. George F. Wheeling, Windber, Somerest County (Reappointment).

Mrs. Katherine W. Parshall, 58 Nassau Street, Uniontown, Fayette County (Reappointment).

Paul A. Young, 344 Bedford Street, Bedford, Bedford County, vice P. J. Spangler, Bedford, resigned.

Mrs. Marian B. Rider, Perryopolis, Fayette County, vice Frank W. Black, Dickerson Run, removed from office.

John Philson, Jennertown, Somerset County, vice B. F. Walters, Somerset, removed from office.

George Scull Cook, Somerset, Somerset County, vice Mrs. Clara McKenzie, Meyersdale, removed from office.

E. W. Troll, Jr., Somerset, Somerset County, vice Norman A. Shaulis, Esq., Somerset, removed from office.

GEORGE M. LEADER.

COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, from the Committee on Executive Nominations, I report at this time a communication from His Excellency, the Governor of the Commonwealth of Pennsylvania, recalling the nomination of Thomas F. Bell as a member of the Board of Trustees of Blossburg State Hospital.

The Clerk read the communication as follows:

RECALLING THE NOMINATION OF THOMAS F. BELL AS A MEMBER OF THE BOARD OF TRUSTEES OF BLOSSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 13, 1955, for the appointment of Thomas F. Bell, Blossburg, Tioga County, as a member of the Board of Trustees of Blossburg State Hospital, for the term of four years and until his successor is appointed and qualified, vice Ambrose Manikowski, Blossburg, whose term expired.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

NOMINATION BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. WATSON. Mr. President, I further report from the Committee on executive nominations the nomination of Thomas F. Bell, and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

MEMBER OF THE BOARD OF TRUSTEES OF BLOSSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 13, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas F. Bell, Blossburg, Tioga County, for appointment as a member of the Board of Trustees of Blossburg State Hospital, for the term of four years and until his successor is appointed and qualified, vice Ambrose Manikowski, Blossburg, whose term expired.

GEORGE M. LEADER.

NOMINATION RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

BILLS INTRODUCED AND REFERRED

Mr. FLEMING read in his place and presented to the Chair Senate Bill No. 815, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" limiting gross weight of commercial motor vehicles, truck tratcors, trailers and semi-trailers to the maximum for which they were designed.

Which was committed to the Committee on Highways.

Messrs. PECHAN and CHAPMAN read in place and presented to the Chair Senate Bill No. 816, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" revising the school health services program and transferring the reimbursement appropriation for school nurses in such program to the Department of Public Instruction.

Which was committed to the Committee on Public Health and Welfare.

Messrs. KESSLER and DIEHM read in place and presented to the Chair Senate Bill No. 817, entitled:

An Act relating to the lien and operation of mortgages and their accompanying bonds and imposing duites on recorder of deeds.

Which was committed to the Committee on Judiciary General.

Mr. FLACK read in his place and presented to the Chair Senate Bill No. 818, entitled:

An Act amending the act of May 23, 1945 (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places wtihin this Commonwealth . . ." requiring health certificates from employes of eating or drinking establishments.

Which was committed to the Committee on Public Health and Welfare.

Messrs. FLACK and WAGNER read in place and presented to the Chair Senate Bill No. 819, entitled:

An Act subjecting housing projects to taxation for school purposes.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, we have in Pennsylvania today a fairly heavy cigarette tax. It has been raised from four to five cents. However, few of us realize that this tax, paid by the consumer, is not deductible from his income tax, like the gasoline tax or other State taxes paid to the State of Pennsylvania.

Ordinarily, Mr. President, that may seem like a small item, but when I look at Governor Leader's budget and I see that for the biennium of 1955-1957, the expected collection on this tax at four cents per package is $87,500,000. At five cents it will approximate $110,000,000 and the consumers, the people of Pennsylvania, cannot deduct this $110,000,000 from their respective returns for Federal Income Tax purposes. When I saw that, Mr. President, I thought it was time that we amend our act so as to make the cigarette tax a direct tax on the consumer and deductible by the consumer. That is exactly what was done in Massachusetts during the Session of 1953.

Therefore, Mr. President, I am presenting this bill.

BILL INTRODUCED AND REFERRED

Mr. SILVERT read in his place and presented to the Chair Senate Bill No. 820, entitled:

An Act amending the act of June 14, 1935 (P. L. 341), entitled, as amended, "Cigarette Tax Act" declaring the taxes to be a levy on the consumers, and imposing duties on dealers.

Which was committed to the Committee on Finance.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. President and gentlemen of the Senate, I am about to introduce now six bills, all dealing with the preservation of our priceless historical heritage in Pennsylvania. These bills cover a variety of subjects such as the reprinting of the now rare volumes on the Pennsylvania Frontier Forts, the publication of an Atlas of Historical Maps in Pennsylvania, a bill providing for State and Federal cooperation between the Pennsylvania Historical and Museum Commission with the National Park Service and several other bills. But I desire to especially direct the attention of the Senate to the bill dealing with the Mikveh Israel Cemetery, on Spruce Street in Philadelphia, which authorizes the Pennsylvania Historical and Museum Commission to accept same on behalf of the Commonwealth and provide for its restoration and maintenance as an historical shrine. I have used a novel method in drafting this bill, by embodying therein, in a brief outline, the names of great American patriots and pioneers of Hebrew descent who are buried on that cemetery, instead of limiting myself to the usual dry and perfunctory provisions and language of a typical appropriation bill.

Mikveh Israel Cemetery has been in a condition of disrepair and abandonment for many years. Vandals have gradually demolished its fences and upset the tombstones that bear the inscriptions of great and priceless significance.

At this puncture, I want to pay tribute to a great communal newspaper in Philadelphia, The Jewish Times, published by Mrs. Esther Klein, wife and co-worker of one of our towering citizens in Pennsylvania, Mr. Philip Klein, now President of the Harcum Junior College. It was their initiative, as well as the trenchant and facile pen of its editor, Jeff Keen, that initiated in the past a series of thought-provoking articles about the dilapidating historical writing, the City Council of Philadelphia passed an ordinance declaring the Mikveh Israel Cemetery as a City Shrine, but providing no funds for adequate restoration and maintenance, that such a shrine would require.

Subsequently, four of Philadelphia's Congressmen, namely Hugh Scott, Earl Chudoff, James A. Byrne and William Granahan, have introduced bills in Congress calling for the restoration and maintenance of the Mikveh Israel Cemetery as a National Shrine. The four bills were doomed to the "pickling vats" in the Congressional Committee to which they were sent for consideration.

Now it is our chance to strike a blow, and an effective one, by succeeding where others failed. I am sure that favorable action on the bill will inure to the glory of Pennsylvania, and that the modest appropriation of $5,000 for the next biennium will go a long way in enriching our historical City of Brotherly Love, already abounding with Colonial sites and structures.

I am now working on a bill which will provide for the creation in Philadelphia of a vast Colonial Compound, under the joint auspices of the State of Pennsylvania and the Federal Government, that will once and for all restore to Philadelphia its leadership in assembling colonial exhibits and presenting them to the people of the United States in a light that they richly deserve. The Mikveh Israel State Shrine will thus be a part of that Colonial Compound. I pray for speedy and favorable action on the bill, and hope to see its final passage both in the Senate and the House by the middle of December prior to the eventual adjournment of the General Assembly of Pennsylvania about Christmas time.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 821, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Crispin Cemetery in Philadelphia; providing for its restoration and maintenance as an historic shrine and making an appropriation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

He also read in his place and presented to the Chair Senate Bill No. 822, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to prepare, edit and publish a Historical Atlas of Early Pennsylvania; providing for the sale and distribution thereof and making an appropriation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

He also read in his place and presented to the Chair Senate Bill No. 823, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Mikveh Israel Cemetery on Spruce Street in Philadelphia; providing for its restoration and maintenance as an historic shrine; and making an appropriation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

He also read in his place and presented to the Chair Senate Bill No. 824, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to cooperate in historical projects with the National Park Service or other agencies of the United States government and empowering the Commission to enter into formal compacts, contracts or agreements for carrying out such projects.

Which was committed to the Committee on Forests and Waters, Game and Fish.

He also read in his place and presented to the Chair Senate Bill No. 825, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to appoint a county historian in each county of the Commonwealth not having a historical society; providing in certain cases for compensation expenses and office space for the county historians and outlining their duties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

He also read in his place and presented to the Chair Senate Bill No. 826, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to edit, illustrate and publish its new report on the Frontier Forts of Pennsylvania; providing for the distribution and sale thereof and making an appropriation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. SEYLER read in his place and presented to the Chair Senate Bill No. 827, entitled:

An Act providing for the calling of a convention to propose a revision or amendments of the Constitution of Pennsylvania with certain limitations, the nomination and election of delegates thereto and the submission of the work of the convention to the voters for approval or rejection.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 828, entitled:

An Act requiring owners and lessees of land on which there are abandoned excavations to fill in or fence the same, to prevent persons falling therein; prescribing penalties; imposing duties on cities, boroughs, towns and townships.

Which was committed to the Committee on Local Government.

Mr. WEINER read in his place and presented to the Chair Senate Bill No. 829, entitled:

An Act amending the act of June 24, 1937 (P. L. 2045), entitled, as amended "The Support Law," further regulating the liability of children for support of parents deserting them during minority.

Which was committed to the Committee on Public Health and Welfare.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 830, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "The Fourth to Eighth Class County Assessment Law," requiring notice of changes in property valuations be given to political subdivisions in which the properties are located.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 831, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; . . .," requiring notice of changes in property valuations be given to political subdivisions in which the properties are located.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 832, entitled:

An Act amending the act of May 22, 1933 (P. L. 853), entitled "The General County Assessment Law," requiring notice of changes in property valuatoins be given to political subdivisions in which the properties are located.

Which was committed to the Committee on Local Government.

Messrs. MALLERY, STEVENSON and HALUSKA read in place and presented to the Chair Senate Bill No. 833, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authoribing townships to improve public streets or roads without petition and collect the costs thereof from owners of abutting properties.

Which was committed to the Committee on Local Government.

DELEGATES OF PENNSYLVANIA COUNCIL OF REPUBLICAN WOMEN PRESENTED TO SENATE

Mr. MAHANY. Mr. President, I do not know what either political party in Pennsylvania would do if they did not have the ladies to help them out.

This week in Harrisburg, Mr. President, the Republicans have the privilege and honor of having the Pennsylvania Council of Republican Women attending their convention. I note that around the hall of the Senate there are some of the delegates of the Pennsylvania Council of Republican Women present. I would like to introduce them to the Chair and to the Senate at this time, and have the Chair welcome them to the hall of the Senate.

The PRESIDENT. The Chair is very happy, on behalf of the Members of the Senate, to welcome these distinguished visitors. We hope that you will enjoy your visit with us.

PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President and Members of the Senate, my statement today has to do with Senate Bill No. 403, Printer's No. 142.

Senate Bill No. 403, as you know, is legislation which, if passed, would permit those who now participate in retirement systems in Pennsylvania to also participate under the provisions of our Social Security Act.

Mr. President, I want to explain to the Members of the Senate, and the public at large, that the reason this bill is being held on the Second Reading Postponed Calendar is because there is a subcommittee working at the present time on amendments in order to make this bill feasible. There is no political party holding up this legislation. We are holding it up so that we can have the necessary amendments prepared, and we are now working with actuaries from the Wharton School of Finance, we are working with the Attorney General's Office and we are also working with a representative of the Governor's Office. We are hoping that we can have this legislation in order within the next two or three weeks. However, I want the Membership to know here and now that before this legislation will be practical or feasible, we must amend every retirement system in Pennsylvania and that will mean that we will have to have ten or twelve separate pieces of legislation passed in a package.

It is my understanding that the actuaries from the Wharton School of Finance are now preparing this legislation, which we hope to have in order within the next two or three weeks. Now the membership of that subcommittee consists of Senator McMenamin, Senator Scott and myself. I hope, if Senator McMenamin gets in here tomorrow, that we will be able to do some work. We must do everything possible to get this passed, as a number of political subdivisions have already deducted contributions from the employees and they are holding these funds in escrow. Unless we pass this legislation at this session, those employees will probably lose the benefit of four calendar quarters of Social Security.

Mr. President, my purpose in making this statement is to clarify the reasons why this bill is being held on the Second Reading Postponed Calendar.

Mr. WEINER. Mr. President, a situation exists today in Philadelphia, one in which this body had a large hand in creating and one in which this body can bring about a successful solution.

A hospital was completed in Philadelphia last November. This hospital was to open for operation in December. It is now almost December again, and that hospital is still not opened. The hospital is the Mercy-Douglas Hospital, located almost in the center of Philadelphia, which contains 238 beds that are standing idle. The hospital is completely equipped and there is even a staff ready to staff this hospital and operate it. The problem is that there is no money to provide for coal in order to operate this hospital. One hundred and ten of the beds in the hospital are dedicated to the mental health program, to which all parties, including the city, the State, and private organizations who are interested in this type of work are committed to carry on.

Mr. President, under what theory this hospital was built, I do not understand because it was a private organization. The State went ahead and put the money into this building program at the cost of $3,000,000 and built this hospital. It is now a beautiful edifice, complete with all of the equipment which is necessary to operate this hospital. Each day that we wait to open this hospital causes us to lose another member of the staff, another nurse or another technician because these people cannot wait indefinitely to be employed in a project which seems, at the moment, never to come to fruition.

Mr. President, I would also like to point out to the Members of this body that it is one of the first hospitals in the State to operate an integrated program. The Mercy-Douglas Hospital originally was a completely Negro hospital. It will not be operated that way any longer. It will be nonsectarian and it will be the first time an integrated staff of both Negro and white doctors will operate together. The University of Pennsylvania has provided a large staff and also has made a study of the program, which indicates it could be operated successfully. However, as time goes on and as we wait, nothing will happen other than that the staff will disappear, the University will lose interest and then on the day that this hospital is to open there will be no one to operate it successfully.

There is a bill at present over here which could implement this beautiful building and the equipment therein. It is up to the committee and this body to act, and to act quickly, to get this hospital into operation.

Mr. President, this hospital used to receive an appropriation of $200,000 based on eighty-three beds. Simple arithmetic will show you that the $880,000 they are asking for today, and which is provided for in the bill, is certainly not adequate to run the hospital, but it certainly would be a quick way of getting it started and having it fulfill the function for which it was built.

Mr. YOSKO. Mr. President, I realize that the Republican women are meeting in Harrisburg today and that perhaps the gentlemen on the other side would like to go to the dinner this evening. I also understand that there is a dinner over in Hershey, in which the gentlemen on the other side will participate and for that reason they would like to recess this session as early as possible, and I would like to cooperate with him. However, there is another important situation facing Pennsylvania which I think should be called to the attention of the gentlemen on the other side and for that reason I rise.

I understand that there are going to be committee meetings tomorrow morning and I hope that at the Appropriations Committee meeting, bills will be reported out to take care of the 186 medical-surgical hospitals throughout Pennsylvania. I am reliably informed that a crisis exists in these hospitals. These 186 hospitals are community hospitals. They are supported by appropriations from cities, boroughs, townships, and counties, by community chests and by private endowment. The State also makes an appropriation to these hospitals for the indigent who are served every day. The last payment that was made to these hospitals was for the period ended May 31, 1955. The first quarterly payment for the current biennium was due on August 31, 1955 and the second quarterly payment will be due at the end of this month. Neither one of these payments have been made.

I understand that because of this nonpayment, many of these hospitals are in financial distress, many of these

hospitals because of their financial condition have been compelled to go out and borrow funds in order to operate, and interest must be paid on these funds which are borrowed. Other hospitals which have not resorted to loans have deferred payments on obligations and as a result numerous creditors must wait for their money.

Mr. President, $24,000,000 has been recommended in the Leader budget to take care of these hospitals for the biennium. If the gentlemen on the other side do not want to go along with reporting out a bill for the entire $24,000,000 at this time, the least they could do tomorrow is to report out an appropriation bill to take care of the two quarterly payments; the one which is past due and the one which will become due at the end of this month, so that these hospitals could continue to treat the indigent throughout Pennsylvania.

In contrast, Mr. President, I want to point out that we have sixteen other medical-surgical hospitals in Pennsylvania and they are located in only about seven counties. They are financed wholly by State funds. These sixteen hospitals apparently are not suffering because appropriations to these hospitals are funneled directly by the Department of Welfare. Therefore, I think that it is only fair that the 186 hospitals which are supported in part by the local communities should be taken care of financially by the State through the State appropriation.

I want to observe, too, that the Republican women are meeting in convention here. It might be a good idea for them to take cognizance of the situation affecting these hospitals. If the gentlemen on the other side, through apparent lack of leadership and consideration for the financial condition of these hospitals, are remiss in their duty, I would suggest that the Republican women pass a resolution before they adjourn urging immediate action.

MR. STIEFEL. Mr. President, gentlemen of the Senate, I have already stated heretofore during numerous remarks that that part of the daily agenda in the Senate of Pennsylvania known as "Petitions and Remonstrances" should be changed so as to read "Petitions, Remonstrances and Commendations," since after all not always do we remonstrate. Sometimes we may also commend and voice before this august body our approbation of the attainments on the part of Pennsylvanian's great sons and leaders.

Today it is my signal honor and singular pleasure to pay tribute to a great American and towering Pennsylvania statesman, administrator and political leader. In doing so, it is not my desire to rehash the political battles of last week that culminated in a glorious Democratic Victory in Philadelphia. All I want to do is to present to the Membership of the Senate our new Mayor-elect, the Honorable Richardson Dilworth. The name of Richardson Dilworth is known throughout the length and breadth of Pennsylvania from Beaver to Wayne and from Warren to York. But I feel it is appropriate at this time to have spread over the Legislative Journal a brief biography of our Mayor-elect, even if it is a sketchy one.

Because of Mr. Dilworth's modesty, only few people know that the origins of his family are so deeply rooted in the soil of Pennsylvania that they go back to the end of the Seventeenth and the beginning of the Eighteenth Century. I am sure that it will be of great and commanding interest for the people of Pennsylvania to know that Mr. Dilworth's forfathers founded in 1709 the Conshohocken Iron Foundry, which is today's Alan Wood Steel Co. Dilworth has worked in the mill and the oil fields. A one-time New Dealer, he has long been a "good government" advocate, teaming with outgoing Mayor Joseph S. Clark, Jr., to win as City Treasurer and later as District Attorney in previous elections.

The man who will direct Philadelphia's governmental affairs until 1959 polled in an off-year election 420,099 votes to the Republican candidate's 287,644.

Mayor-elect Dilworth was no stranger to the Philadelphia campaign scene. He was a familiar street-corner orator in 1947 when he lost this same office by 92,000 votes, and again when he lost to Judge John Fine for Governor in 1950. At 57, Dilworth has been through the political mill, as his campaign indicated.

Dilworth was a Marine in two wars, a courageous leader on combat fields as he has been along political fronts. He was wounded in France in the First World War, but this did not prevent his resuming football and rowing when he returned to Yale.

The Legislative Journal of the General Assembly of Pennsylvania is to each and every member of the Legislative, what the Romans used to call a "Vade Mecum"—they always counsult it and pay their undivided attention to its contents. And, for that reason, I feel that the insertion of Mr. Dilworth's biography in the Legislative Journal will be of great service to my colleagues. After all they should know all about our "Knight in Shining Armor" on Philadelphia's political scene. The success of his ever-ascending leadership is only a prologue to fascinating chapters that will no doubt follow in the near future.

Mr. President, at this juncture I would like also to have inserted in the Legislative Journal the masterful speech delivered by our Mayor-elect before the assemblage of the Greater Philadelphia Movement at the Bellevue-Strattford Hotel during the closing days of our recent mayoralty campaign. I feel it is a great document to be read and reread by each and everyone of us since it reflects the philosophy of a great statesman, capable and experienced administrator and political scientists par excellence.

Mr. President I move that both Mr. Dilworth's short biography and his aforesaid speech be spread over the pages of the Legislative Journal.

The PRESIDENT. The material requested by the gentleman from Philadelphia, Mr. Stiefel, will be spread upon the Legislative Journal.

> Richardson Dilworth was born in Pittsburgh, Pennsylvania, on August 29, 1898. His family on both his mother's and father's side has long been prominent in Pennsylvania. On his father's side, his great, great grandfather settled in Lancaster County in 1750, and his great grandfather moved to Pittsburgh in 1790, and was one of the pioneers who helped develop the city. On his mother's side, his great, great, great grandfather settled in Philadelphia in 1690, and in 1709 built the iron foundry in Conshohocken which today is the Alan Wood Steel Company.
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> He attended St. Mark's School, Southborough, Massachusetts, from 1911 to 1917. He graduated from Yale University in 1921, where he was on the crew and football teams. He worked a year and a half in a steel mill and in the Oklahoma oil fields, and then entered the Yale Law School. In 1926 he graduated from Yale University Law School, cum laude, and an editor of the Law Review.
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> Dilworth served a total of five years in the Marine

Corps during World Wars I and II, and has been awarded the Purple Heart, the Silver Star, and a Presidential Unit Citation. He now holds the reserve Corps rank of Lieutenant Colonel.

In the First World War, Dilworth was in the 6th Regiment of the Marine Corps Brigade, having enlisted as a Private. He was in the Belleau Woods Campaign, and in the Soissons offensive, being severely wounded in the latter.

In the Second World War Dilworth was commissioned a Captain and served with the First Marine Division in the Guadalcanal campaign and later in the Russell Islands campaign. It was for the Guadalcanal campaign that he was awarded the Silver Star and the Presidential Unit Citation.

Dilworth has always been a Democrat and became actively interested in Democratic politics in 1928 when he stumped Philadelphia for Al Smith. In 1947, he ran for Mayor of Philadelphia, where a Democratic Mayor had not been elected since 1881, and was defeated by a majority of 92,000.

However, in 1949, in the first real defeat administered the Republican City Hall machine, Dilworth turned the tables and was elected to the office of City Treasurer by a majority of 112,000.

In 1950 Dilworth was defeated, but polled almost 49% of the more than 3,500,000 votes cast, when he was Democratic candidate for Governor of Pennsylvania. He carried Philadelphia by 77,000 votes. He was the first Democratic candidate for Governor to carry Philadelphia.

In 1951 Dilworth was elected District Attorney of Philadelphia when a Democratic administration was swept into office by a majority of 122,000. This was the first time in over 67 years that the Democratic Party was triumphant in a Mayoralty election.

Dilworth presently is the Democratic candidate for Mayor of Philadelphia.

Richardson Dilworth is married, and has six children and two stepchildren. He has been a resident of Philadelphia since 1926, and is a member of the law firm of Dilworth, Paxson, Kalish & Green. He specializes in trial law. He resides at 2217 St. James Street.

RICHARDSON DILWORTH—SPEECH DELIVERED AT GREATER PHILADELPHIA MOVEMENT DINNER, WEDNESDAY, OCTOBER 26, 1955

I do not think I have to persuade anyone listening tonight that in 1951 the government of our City was in a sorry state of decay, incompetence and corruption.

Similarly, I do not think I have to persuade anyone here that our Democratic administration, under the splendid leadership of Mayor Clark, has wrought great accomplishments and improvements in the standard and spirit of the government of our City.

I am also certain you all realize how important it is that there be a continuity of that good government so that its roots may have an opportunity to grow so deep that no one can easily rip them out.

We all know that at the municipal level the weakness of reform has always been its lack of continuity. The old discredited political machines have all too often forced their way back into power before continuity of good government could be achieved. The Democratic candidates ask for an opportunity to establish such continuity.

Tonight I want to discuss the major problems which will confront the next administration, and what we propose to do to solve them.

The first problem is the budget and taxes.

It is proper to remind this audience that we have increased no taxes, but we added two new taxes in 1953. This is the only change we have made in the tax structure, and we shall continue to hold the line in 1956. The first of the two new taxes is the three-mill Mercantile License Tax; the second is the Real Estate Transfer Tax. These two taxes together bring in close to $18,000,000 a year. Improved business, plus honest and efficient tax collection, which we never had before, have added another $6,000,000 a year to our revenues. So today, we have a little over $24,000,000 a year more to spend from the general fund than in 1952, when we took office.

When our opponents so loosely claim that we have $70,000,000 a year in added taxes and revenues, they start with the general fund as it stood before we came into office, and then add to it water, sewage and annual capital expenditures to come up with the purely imaginary figure of $70,000,000. The fact is that today we have in the general fund approximately $24,000,000 more a year to spend than we did in the first year we took office. That money has been spent and is being spent to rehabilitate the plant and improve the services of the City. It is money we had to spend, and it has been well spent.

Our present tax structure is the best which can be devised for a city of the first-class under the limitations imposed by our State law.

The budget which Mayor Clark has presented for 1956 is described in an editorial in the Evening Bulletin as "a far cry from the years when the City had to short-change maintenance funds to come out anywhere near even. Equipment then was allowed to deteriorate and even essential services were curtailed or abandoned."

Or, as an editorial in the Philadelphia Inquirer put it, "After years of deficit financing, or budgets that were strangers to reality, Philadelphia has benefitted in the past four years from a return to sound budget-making. Mayor Clark will turn over to his successor a soundly-financed City."

I think that is an accurate description of the budget for 1956. And, as Mayor Clark stated in his budget message, it will give the new administration 12 months in which to make up its mind whether to maintain and improve the present level of services—which will probably require an increase in taxes—or bring to a halt the entire improvement program. I, for one, am convinced we must go ahead, and that we have the resources with which to do it.

As to the budget for capital improvements, that, in my opinion, is also completely sound. In fact, it has been cut back as far as is possible without endangering vitally-needed improvements.

The limitations our administration has placed upon the capital improvement program make it sound. Bonds are no longer issued for more than 25 years for tax-supported loans, and all operating costs are paid out of current revenue. There is no longer any borrowing from the capital funds to balance the budget.

What's more, no loans are made for any item which does not have a useful life expectation of at least five years. In the old administration they used to even float loans for the purchase of automobiles. I think the policy of paying out of current revenue 5% of the cost of all capital improvements which are not self-liquidating, is an excellent one. There should always be a down payment, just as there is in any kind of installment purchase.

I am also heartily in accord with the rule we have maintained that in no year should the City commit its own credit in non self-liquidating loans for more

than $20,000,000 and we should never let the total annual cost of carrying our capital improvement program exceed 20% of the budget.

I do not think any big city has a sounder capital financing program than this, and we intend to maintain it on that basis.

That brings us to the problem of traffic and transportation.

We are cursed with streets planned and laid out some 270 years ago, combined with years upon years of neglect. The result is that today, traffic-wise, Philadelphia is a congested tangle of narrow streets. Nowhere is this more apparent than in the heart of the City. Every working day three-quarters of a million people pour into the two square miles which make up our principal business, shopping, hotel and amusement district. Then, at the end of the day, they pour out again. That makes a million and a half people a day.

To further complicate matters, the automobile and truck traffic in the City has almost doubled in the past ten years, and the people using public transportation have dropped off by 30%. This has, of course, resulted in a crisis in the affairs of the transit company, and has greatly added to our already serious traffic problem.

We have created a first rate traffic engineer's office under the direction of Stephen Buterfield, and have furnished him with a competent staff. The Urban Traffic and Transportation Board, appointed by Mayor Clark, is composed of the leading men in that field in this City, and will submit its over-all recommendations before the end of this year. There is no doubt in my mind that we are going to have to take drastic steps to improve our traffic and transportation problems in the City, and that considerable money is going to have to be spent by the State, by the City and by surrounding Counties in a cooperative effort to better this situation. We must get the cooperation and help, not only of the State, but also of the surrounding Counties in solving the problem, for it means just as much to them as it does to the City of Philadelphia, and the City simply does not have the resources to tackle so vast a project by itself.

By and large what must be done is to bring throughways and turnpikes into the City from the north, the west, the south and the east, which will encircle our two square miles of center city, and there establish mass parking facilities. The plans for this are complete. The problem now is the financing of these projects by the State and the City, it being perfectly apparent the State will have to put up approximaely 90% of the funds. But, this will only take care of half of the problem. Equally important, we must get people out of so many automobiles, and back into the use of mass transportation.

In order to do that, our mass transportation must be speedy, more convenient, with better service, modern equipment, and at a reasonable fare. That is a very large order, but if we do not achieve it, we will never solve our traffic problem. And, our center city will not only cease to grow it will be in serious danger of disappearing.

I am convinced the furnishing of mass transportation is today as much a responsibility of city government as is the furnishing of water.

It is our sincere desire to do it under private management, and as you know, the present contract between the PTC and the City expires in 1957. It is hoped it can be renewed on a basis which will achieve what we must accomplish. That is, on a basis which will bring people back to the use of mass transportation. If such a result cannot be achieved under private operation, then the City will have to resort to some authority type of operation such as is in effect in so many of our large cities.

And this brings us to the problem of planning.

Unfortunately, nearly all of our large cities have grown up like Topsy, and now we are reaping the terrible consequences.

Every big city in the United States is today actually faced with the problem of survival, for in every large city business and families with rising incomes are moving in increasing numbers to the suburbs. What started this is, of course, the automobile and other forms of rapid transportation and communication.

But the governments of large cities have been much to blame. They have completely failed to grasp the 20th Century concept of the big city and its functions.

Today comprehensive urban planning is essential and we must appropriate sufficient money, which will probably be a sum in excess of $100,000, so that the Planning Commission can rapidly complete its work on a comprehensive plan which will take stock of what we have, where we want to go, how far we can reasonably expect to go, and how we can best get there. The thing we need the most, of course, is open space for recreation, for housing and for industry.

We have tremendous assets in Philadelphia. Our population is unquestionably the finest of any large city. There is no city where industry can obtain better labor at every level. We are also blessed with a splendid location. We have a port which has enormous potentialities if properly developed, and its development has all too long been neglected.

Equally important, we shall, within a few years, be at the very hub of the great turnpike systems running from east-west and from north-south, and today these turnpikes mean as much to the growth and development of cities as did the rivers and canals 150 years ago.

We also know that the Delaware Valley has a greater opportunity for industrial development now than at any time since Revolutionary days. If we we are to take advantage of these assets we must plan, and plan wisely.

We must also plan boldly and imaginatively. I think one of the best examples of what I mean by this is the Greater Philadelphia Movement's concept of the new food distribution center. I am wholeheartedly behind this, as is our Democratic administration. I believe that with the proper leadership it can become a $100,000,000 center, and can make Philadelphia the greatest food distribution center east of the Mississippi. Equally important, it will furnish our own people with better food, at lower prices, and will also eliminate one of the large economic sore spots of our City.

We have another tremendous opportunity, and that is in Penn Center. No other great city in the United States has available to it, or will have available to it, so much open space in the very heart of the city, which can be developed along the best modern and functional lines.

The plans prepared by the Planning Commission must be carried out, and I am sure can be carried out, so that Penn Center will become a model of center-city development both in beauty and utility for every other city in the country.

I am still hopeful we can get the Commonwealth to put its new building in the Penn Center area, and that we can persuade the Federal government to do likewise, and that within the next four years we can commence work on a new Court House for our own County, which is so sorely needed; a Court House which will house all of the Courts of our City and also the office of the District Attorney. The present hodge-podge of Court rooms and the complete inadequacy of our Court facilities is one of the reasons for confusion and delay, both in our civil and criminal Courts.

The next consideration is the poblem of housing.

I think this can best be summed up by a quotation from the excellent report entitled, "A Statement on Housing and Urban Renewal Policy for Philadelphia," recently submitted to the Citizens Council on City Planning.

"During recent years Philadelphia has achieved a reputation as a progressive and leading city in the related fields of city planning, redevelopment, urban renewal and housing. The city has a "workable program." And yet the Mayor has stated publicly that the attainment of housing and redevelopment goals is not in sight. The rate of accomplishment to date and in the foreseeable future is not sufficient either to eliminate slums or to prevent future slum formation"

We must face facts A minimum of 700 city blocks cannot even be rehabilitated and are complete slum areas, with 200,000 people living there, and at least another 100,000 live in isolated slum structures.

What's worse, approximately 5,000 dwelling units a year sink from sub-standard into the slum category Yet, in the 10-year period since the termination of World War II, only 9,000 public housing units have been erected, 4,000 of which have been built in the past four years. So, today there is not enough public housing going up to even keep pace with the number of units which sink into slums.

The report from which I have just quoted points out that despite the fact the City is doing more than ever before with regard to housing, it does not have the resources with which to cope alone with this problem. Today, the City is spending about $9,000,000 a year on both capital and operating programs for housing and urban renewals. The Board of Education is spending approximately $5,000,000 a year in the construction of schools and recreation areas to serve these schools.

Our State government is spending nothing, and we are getitng less than $3,000,000 a year from the Federal government for redevelopment and public housing, making a total of approximately $17,000,000 a year.

Yet the report from which I have quoted makes it perfectly plain that to turn the tide there must be expended something like $60,000,000 a year, for a period of some 16 or 17 years. This is a tremendous goal to shoot for, but we must work for that goal.

The City certainly does not have the resources to come anywhere near such a goal. One of the most important tasks of the next Mayor is going to be to make the State realize its responsibilities, and I do know that Governor Leader and the present State administration want to go along with such a program—in fact, the budget originally submitted by Governor Leader called for this very sort of help. And, we must have such help.

Other states have recognized the problem, and have started to meet it. For example, New York State has appropriated, since the end of World War II, close to one billion dollars for public housing. California has appropriated more than half a billion, and Ohio has appropriated more than a quarter-billion. Pennsylvania alone, of our great states, has never appropriated a dime.

The next Mayor must also, in cooperation with the Mayors of all the other great cities, make our Federal government realize its responsibility in this field. This is not socialism, it is a matter essential to the very survival of our great cities. As conservative a man as the late Senator Robert A. Taft recognized this fact, and pushed through Congress the first effective Federal Housing Bill.

Another tremendous task which will confront the next Mayor will be to persuade the Counties which make up metropolitan Philadelphia, both in Pennsylvania and New Jersey, that they have just as important a stake in the growth and well-being of Philadelphia as do the inhabitants of our City. We must make it clear that we shall in no way attempt to interfere in their internal government or affairs, but that their own selfish interests require that they join with us in creating an authority or authorities which will devise plans for and the financing of solutions to our many mutual problems.

As Mayor Clark has so frequently stated, "the entire Delaware Valley is one entity, and its health and well-being depend on an overall plan of development for which the entire valley works out a cooperative solution."

Just a few of the problems which require this approach are highways, traffic and transportation, water supply, sewage disposal, air pollution, our port and airport, recreation and parks, and above all, comprehensive regional planning, so that all of the greater Philadelphia area can best be served.

With regard to water supply, Mayor Clark and Governor Leader have joined in consultations with Governors Harriman, Meyner and Boggs, as well as Mayor Wagner of New York City to devise a new approach to Delaware River Basin development. They intend to join together in a comprehensive plan for the development of the river rather than parceling it out for individual and special purpose uses.

The overall control and development of the Delaware River is vital to the future growth and prosperity of Delaware Valley, U. S. A. The recent disastrous floods on the Delaware, and its tributaries have demonstrated most forcefully how essential is such a comprehensive plan to be joined in by New York State, New York City, Pennsylvania, Philadelphia, New Jersey, Delaware, and the United States government. I intend to push this program most vigorously.

Today, cities must furnish far greater services to the people who live and work within their boundaries than ever before. You cannot get either people or industry to remain in our cities today unless the cities offer a decent place in which to live, work and raise our families.

The crisis of survival confronting big cities today requires bold and imaginative thinking, and the will and determination to carry out the plans conceived by that sort of thinking.

We have today a legislative team in Philadelphia which is aware of these problems, and has the courage to deal with them. And, we have the kind of administrative team which, after four years of experience, is well prepared to meet this challenge. It is a very comforting thing to have such a team, and to know it is champing at the bit to get on with the job.

The situation with which our cities are confronted

today is very much the same problem our industries faced in the Depression. At first, they merely cut out frills. But then they began cutting out essentials and the more essentials they cut out, the faster their business went down. It was not until our people came to realize the only thing we really had to fear is fear itself, that the tide turned. People then took heart and realized that here in the United States we have the brains, the manpower, the courage, the spirit and the resources to conquer any problem, if we only make up our minds to do so and approach the task with boldness and confidence.

I believe as did William Penn—and I am quoting—"Governments, like clocks, go from the motion men give them. Wherefore, governments rather depend on men, than men upon governments. Let men be good and the government cannot be bad."

I think Maylor Clark and our Democratic administration have created the kind of team, composed of the kind of men and women who can and will furnish us the type of leadership we need to conquer our problems and realize our potentialities.

Or, to put it another way, by paraphrasing what Winston Churchill said should be the aims and aspirations of a political Party: "Ancient and permanent institutions become the instruments of far-reaching social reforms; order conjoined with liberty; stability and yet progress; party unity and bold legislation."

That is the program the Democratic Party and its candidates offer the people of Philadelphia for the next four years. It is a program based upon the continuity of reform and good government. We believe there can be no turning back. We must press forward boldly and confidently to our goals.

Mr. MAHANY. Mr. President, I want to briefly answer the remarks of Senator Yosko relative to the hospitals of Pennsylvania.

I feel concerned about the hospitals of Pennsylvania because, for one thing, I happen to be on the board of trustees of the Titusville Hospital. I know all of the hardships which we have to endure and undrego in order to meet the bills at that hospital. I also know that perhaps the various members of the boards of trustees of every hospital in Pennsylvania have to undergo the same hardships. Therefore, Mr. President, I am just as much concerned, if not more, as Senator Yosko is that the hospitals of Pennsylvania receive their regular State appropriation. However, Mr. President, I want to call to Senator Yosko's attention the fact that the Senate, before we adjourned the last time, passed adequate legislation to finance the school needs of the State of Pennsylvania. Not only did we do that, but we went along with two Democratic Senators amendments, Senator Seyler and Senator Hayes, to add $31,000,000 more to those appropriations in the event that this Legislature saw fit to pass the bills which would give the teachers an extra salary increase. What happened to that appropriation bill? It passed here and went over to the House, and since that time they have been sitting on it. They have tried to insert a lot of amendments in it, I understand, but to date they have not passed that bill, so that the schools of Pennsylvania might feel safe tonight in knowing that they are going to be able to operate next month and the months to come.

Another thing I want to say to Senator Yosko is that at this time we do not see sufficient money in sight to take care of all of these things. We certainly thought the thing of primary importance was to see that the schools of Pennsylvania operated. How many more appropriations can you get out and have passed in the Senate before we know that there is sufficient money in sight to pay the bills? It is surely useless, as Senator Yosko should know, for us to pass appropriation bills and put them on the Governor's desk if he does not have sufficient money in sight in order that he might sign these bills. He certainly cannot go out on the Capitol trees and pick the money off of them. He does not have any printing press downstairs which he can speed up to print money. We must have the money to do all of these necessary things before we can put out the appropriation bills and pass them.

Mr. President, I understand that there is a new movement being made by the Governor and his legislative leaders and advisers to put in some more tax bills. I understand that this is going to be done next week. The House is going to work on those, and I have no doubt that at some time they will send them to the Senate. Until such time as we see the money on the horizon somewhere to pay for these appropriations which Senator Yosko has pointed out as being necessary in order for these various institutions to operate, I think it would be useless for us to act on appropriation bills here.

Therefore, Mr. President, I want to say to Senator Yosko that we Republicans do not want to see the hospitals shut down. We want to give them their appropriations. However, I do not see the sense in bringing out appropriation bills here and acting upon them until such time as we get the money to pay the bill.

Mr. DENT. Mr. President and Members of the Senate, I do not want to hold the Senate up any longer than necessary today. However, we will probably be leaving here tomorrow and there are some questions that have come up here on the floor, and which have come up in the various communities and in the newspapers, relative to our financial situation and its relationship to the hospitals and schools which are State-aided.

The gentleman from Northampton, Senator Yosko, very clearly pronounced a great fear which is in the minds of most of the directors of our local hospitals which are State-aided and also in the school system. In answering him, the gentleman from Crawford, the Republican Floor Leader, Senator Mahany, stated two very simple truths. First of all, the passage of appropriation bills does not necessary assure the schools and the hospitals of necessary funds. The greater problem is the creation of the legislation that will deliver the funds. The matter of appropriation is one that can easily be resolved in this Senate and in the House of Representatives the minute that we decide how much money we need on the part of the State and where we are going to get that money.

Mr. President, this morning, for the first time since we first introduced tax legislation, which passed the House and was defeated in the Senate, we had the first break in the so-called solid wall position of the Republican Majority in the Senate. I read in this morning's newspaper that at a meeting held in Hershey last night, the Republicans are receding from their position on the salse tax and that now, for the first time, they appear to be willing to listen to other proposals. Grabbing the first straw that has appeared upon the turbulent waters

of this great Commonwealth's fiscal problems, we have tried to call an immediate meeting of the powers that be, or should be, on the other side to discuss the types of taxes that we have in mind. We, on this side, have long felt that it would be wrong to pass appropriations willy-nilly without means of supporting the appropriations. The gentleman is only partially right, though, when he said that the House has killed the school appropriations. That is not quite true.

What happened, Mr. President, was that the House sent to the Senate a comprehensive over-all educational program. When it arrived in the Senate, for political reasons, right before the election, the Republicans lifted out of this comprehensive bill that particular phase of the legislation which dealt with schoolteachers' salaries, subsidies to the school teaching districts. They attempted to pass that bill—or that particular part of the educational program—leaving in abeyance all the other necessaries that are required in order to have a rounded-out school system. When that appeared on the floor, there were some amendments offered. The Republican leadership, immediately sensing the opportune of an election, immediately passed the amendments which added, in an over-all picture, $26,000,000 to the bill that was passed by the House. However, they actually added $31,000,000 because they had taken from the necessary needs of the schools, in one section of the bill, $5,000,000 and then turned around and added $31,000,000 to schoolteachers' salaries alone.

Mr. President and Members of the Senate, the election is over. Let us not try to win next year's elections by our actions in the next one, two, three, four or five months. Let us try now to resolve the problem before us and let the good judgment of the people decide who is right and who is wrong politically.

Some of us see some kind of glory attached to last weeks's election on our side; some Republicans feel that they, too, won the election on their side. That be as it will be, it has no part in the discussions that must come up from now on.

I am opposed to this Session of the Legislature staying in until next spring or next summer. I believe that the problems which face the Commonwealth can be resolved in the next three weeks. Therefore, the House will probably pass next week, Mr. President, some kind of an enabling tax legislative program that will be sent over to the Senate. We are happy and we are willing to sit down with our Republican colleagues to try to work out an agreement between now and Monday on the type of taxes that they will accept. However, if they insist on standing upon that ground which they have held for so long, that they will not vote for anything except sales taxes, then I can assure them and the people of this Commonwealth that there will be a program over here next week for your consideration. If you feel that you cannot take it, then, of course, the House will again have to go into the bag of tricks and try to find some way to finance four hundred and fifty odd millions of dollars of needs of this Commonwealth without crippling and endangering the State's economy.

Mr. President, I also read in the newspaper where the Republican Caucus, at the Hershey Hotel, last night decided that they would be against a hodgepodge tax program. Now, Mr. President, first of all they have said they are against the classified income tax and they have proven that by their vote. Now they say they are against a hodgepodge tax program.

What is a hodgepodge tax program? A hodgepodge tax program is the very sort of a program that the Republicans have used for sixteen years to finance the State of Pennsylvania. We tried to get away from that, Mr. President, with a comprehensive classified tax program. If the Republican Majority will not go along with any increases in the present tax structure of this Commonwealth, which may be termed a hodgepodge, if they will not under any consideration take up with us the problem of income taxes of any kind, then I can see that they are still standing on the same ground. Therefore, I say to the Republican Senators, in all fairness, that either you sit down with us in an honest effort to reach a compromise or the House will be compelled to pick a program of taxes without any assurance from you that it will pass. That will further delay the Session of the Legislature. Then, if after that set of taxes comes over, you will not accept it, then I will suggest to the House that they go ahead and pass a hodgepodge tax program. Then, if you will not accept that, remember this, too, in your calculations. The entire tax duplicate raised in this Commonwealth by the hodgepodge system is $940,000,000 a biennium. Even with all this allowance—and this takes into consideration the allowance for one-quarter of the biennium being spent already and it takes into consideration the fact that there are some added revenues to be received because increased estimates of our present taxes for this biennium will give us approximately $50,000,000 more—you are still going to need a figure somewhere approaching $450,000,000 since you have added $31,000,000 to the school burden. That is almost fifty per cent, Mr. President, of all of the tax duplicate that you now have in this Commonwealth. You just cannot go out and pick $450,000,000 from trees. That, too, has been said by the Majority Leader. You just cannot add fifty per cent, or approximately forty-seven per cent, to all of the existing taxes in this Commonwealth it will be better than fifty per cent. When you figure that you have already added $20,000,000 to the cigarette tax in this Commonwealth for emergency purposes.

Mr. President and Members of the Senate, tomorrow we are in Session. There can be no better time spent, there can be no better hours spent than for a committee, with the authority to act and to speak for the Republican Caucus, to meet with a committee from this side of the Senate and let us resolve this problem tomorrow. There is nothing to be gained by delay except disaster. I want to assure you that if, after that conference, you men on the other side are willing to deliver your twenty-six votes for your tax program, I will assure you that I will go before the House and before the Governor and state to him that you cannot get any legislation through this Senate except that which the Republican Caucus will pass. If you decide tomorrow on a certain tax program which you will deliver your votes for and accept your responsibility for it, I will do my best to have the House pass your tax program next week. However, if you want to give us the responsibility that we think the people gave us at last year's election, then all we ask

you to do is to give us sufficient votes to meet the necessary constitutional requirement of twenty-six votes. Then, we will deliver every vote we have on this side for any tax program that we will accept the responsibility for. Failing to do that, then I would suggest to all of you that you put through a resolution recessing this useless Session of the Legislature and let us go home. It will be silly and useless to sit here month after month after month if you are not going to accept the responsibility of passing your tax legislation with twenty-six votes on your side, or giving us the three votes that we need to pass the tax legislation on this side.

I have said this now for nine months, and I do not want to repeat it for nine more months. I say to you that we will vote to recess and the schools will suffer and the hospitals will suffer. However, there is no way that you can pay their bills unless you pass revenue measures. We are willing to pass revenue measures. If they are unsound politically, the people will defeat us at the polls. We do not care particularly about that. We want to give to the people of Pennsylvania the kind of government that we told them we would. We will do our very best to stay within the confines of our platform and to give the people of this Commonwealth the necessary funds to give them the services they deserve and require.

Mr. YOSKO. Mr. President, I cannot accept Senator Mahany's alibi for sitting on appropriations. His remarks are not well taken.

An orderly procedure in connection with the adoption of a budget and tax program is to first pass the appropriations and then take the sum total of all appropriation bills which have been passed, add them up to determine how much money you need and then follow that up with the enactment of sufficient taxes to finance the appropriations which have been approved. That is the orderly method of arriving at a budget and tax program. You do not pass the taxes first and then the appropriations after that. That is putting the cart before the horse.

Mr. President, I only know this, that on August 1st, I introduced appropriation bills to take care of the State-aided medical-surgical hospitals in my district. I know that those hospitals are in need of State funds that are due them for the quarter which ended May 31st, and they will be in need of the money that will be due these hospitals for the quarter which will end at the end of this month.

We have passed some tax legislation, and I believe that we have passed sufficient tax legislation to be able to take care of at least the two quarterly payments which are due the 186 medical-surgical hospitals spread around the sixty-seven counties of this Commonwealth. Therefore, I repeat that it would be orderly for the Republican Majority that controls all of the committees to report out the appropriation bills. Of course, if the money is not there the Budget Bureau is not going to approve them, the Auditor General is not going to approve them and the State Treasurer is not going to approve them. However, here in the Legislature we can at least say that we did our part, which we have not done up to this point.

Mr. President, in addition to the appropriation bills, and I think the Republican women ought to know this, there are about 300 bills which passed the House, were referred to the Senate and because of the lack of holding committe meetings, because of the stalling in this Chamber, because of the obstructionism on the part of the Republican Majority, those bills are tied up in committee and many of them are important to the general welfare of this State.

I repeat that if there are going to be committee meetings tomorrow, and particularly the Appropriations Committee, that these appropriation bills which should be given priority, be reported out and approved so that funds could be funneled into the institutions that are now in financial distress.

Mr. SCHMIDT. Mr. President and Members of the Senate, I, I guess the same as quite a number of the Members of this body, have extended our sincere congratulations to the Members of this body who were elected to various offices in their counties in this past election| Senator Diehm, Senator Lane and also Senator Bane are three gentlemen who were successful at the last election. There is no doubt in my mind that the residents of their counties re-elected them to these various offices because of a very good job done at home.

This past election brings back to my mind February the 8th of this year when I stood on the floor of this house and at that time, in preparation to the introduction of Senate Bill No. 102, I stated that disregarding any political affiliations, the bill that I was about to introduce had no political implications whatsoever, but was a sincere desire on my part to express a feeling that certain offices held by Members of the Senate were incompatible with that office. I introduced that bill at that time, declaring that anyone who was elected to a county or city office could not hold office as a Member of this Legislature. I feel that you cannot have two loyalties. It is a sincere belief on my part, and I have seen actions in the Senate and in other legislative bodies which proves that point.

Mr. President, the aforementioned gentlemen have sought office, they have been duly electd and probably should hold that office. However, I say that it is time that we in Pennsylvania enact legislation which would make it impossible for anyone to hold two such offices.

I would like to call to the attention of the Committee on Local Government, of which I am also a member, the fact that the bill which reposes in that committee has been there since February 8th, and I ask that the members of that committee keep this bill in mind at the next meeting of that committee, which I believe will be held tomorrow.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution which was twice read, considered and agreed to:

In the Senate, November 14, 1955.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week it reconvene Monday, Novmber 21, 1955, at 3:30 o'clock, p. m., E. S. T., and when the House of Representatives adjourns this week it reconvene Monday, November 21, 1955, at 1:00 o'clock, p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the first resolution which I am about to introduce deals with the greatest event on the North American Continent, which established once and for all the conquest by the Anglo-Saxon civilization of the North American Continent.

This resolution deals with the Armstrong Expedition. The 200th Anniversary of the Armstrong Expedition will take place between August 30th and September 8th of 1956. I am happy to say that the Historical Societies of Huntingdon, Blair, Cambria, Indiana and Armstrong Counties already took the initiative to prepare for this celebration.

Mr. President, I am especially pleased that for the first time during this Session the learned doctor from Armstrong and myself see eye to eye.

SENATE CONCURRENT RESOLUTION

COMMEMORATING THE 200TH ANNIVERSARY OF THE ARMSTIONG EXPEDITION AND CONGRATULATING THE PENNSYLVANIA FEDERATION OF HISTORICAL SOCIETIES AND CERTAIN COUNTY HISTORICAL SOCIETIES

Messrs. STIEFEL, CHAPMAN, HALUSKA, MALLERY, PEELOR and PECHAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, November 14, 1955.

Whereas, August 30 to September 8, 1956, marks the 200th anniversary of the expedition led by Pennsylvania's own Colonel John Armstrong starting at Fort Shirley, Shirleysburg, Huntingdon County, and culminating in the attack and destruction of the Indian town at Kittanning, Armstrong County, and

Whereas, this expedition was the first organized retaliation of the Pennsylvania provincial forces against the French and Indians following General Braddock's disastrous defeat at the Monongahela crossings and gave new hope and protection to the harassed Pennsylvania frontier by inflicting a serious blow upon the hostile Indians, and

Whereas(this expedition was organized and conducted on Pennsylvania soil and was made up of Pennsylvania forces and was led by a noted Pennsylvania commander and constituted a decisive engagement in the French and Indian War which finally determined the fate of Anglo-Saxon civilization in North America; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly congratulates the Pennsylvania Federation of Historical Societies and the historical societies of Huntingdon, Blair, Cambria, Indiana, and Armstrong counties upon the initiative taken in plans to commemorate this important anniversary in Pennsylvania's great history; and respectfully requests the Governor of the Commonwealth, The Honorable George M. Leader, to prepare and issue a suitable proclamation designating August 30 and September 8, 1956, as Armstrong Expedition Days and calling upon the public, parochial, and private schools, and the civic, patriotic, and historical bodies of the Commonwealth to observe with suitable ceremonies and pageants the 200th anniversary of this decisive event in Pennsylvania's heroic past.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

SENATE CONCURRENT RESOLUTION

REFERRED TO COMMITTEE

CONGRATULATIONS EXTENDED TO THE STATE, COUNTY AND LOCAL HISTORICAL AND PATRIOTIC SOCIETIES

Mr. STIEFEL offered the following resolution which was twice read and referred to the Committee on Forests and Waters, Game and Fish:

In the Senate, November 14, 1955.

Whereas, at no time in history was it more important for the people of the great Commonwealth of Pennsylvania to know and appreciate the great heritage of freedom and liberty which is ours as a bequest from our forefathers, and

Whereas, no single State has contributed more to the development of the American tradition of religious freedom, civil liberties, and representative democracy recognizing the right of all people, regardless of race, creed, or social station, to achieve the fullest possible freedom and opportunity under God, and

Whereas, the State, county, and local historical and patriotic societies and associations of the Commonwealth have a distinguished record of achievement in developing understanding and appreciation of that great heritage; therefore be it

Resolved, That the General Assembly of the Commonwealth places itself on record as commending these worthy historical and patriotic societies and associations for the great work they have accomplished; and be it further

Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth urges these societies and associations to redouble their efforts to further develop knowledge and understanding of Pennsylvania's rich heritage by increasing their membership and continuing to broaden and expand their influence and worth through suitable publications, educational services to the schools of the Commonwealth and the general public; and be it further

Resolved, That the General Assembly hereby authorizes and requests the Pennsylvania Historical and Museum Commission to act as its agent in transmitting copies of this resolution to ali such societies and associations as are a matter of record in the files of the Commission and in particular to those which are members of the Pennsylvania Federation of Historical Societies, together with suitable suggestions as to ways in which said societies and associations may further expand and develop their contributions to Pennsylvania history.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSIONS

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 12, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of County Boards of Assistance:

FAYETTE COUNTY

Samuel A. Seehoffer (Dem.) 575 East Main Street, Laurel Terrace, Uniontown, to serve until December 31,

1957, and until his successor is duly appointed and qualified, vice J. S. Hackney, Point Marion.

WARREN COUNTY

Gerald M. Newton (Dem.), 14 Jackson Street, Warren, to serve until December 31, 1955, and until his successor is duly appointed and qualified, to fill a vacancy.

WAYNE COUNTY

William Epstein (Dem.), 1708 West Street, Honesdale, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Mrs. Martha Parks, Honesdale, resigned.

Mrs. Sarah Jones (Dem.), Lake Ariel, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice William Robacker, South Sterling, whose term expired.

Mrs. Mary Nebzydoski (Dem.), Pleasant Mount, to serve until December 31, 1957, and until her successor is duly appointed and qualified, vice Robert Gilchrist, Lake Como, whose term expired.

Mrs. Hazel Hill (Rep.), Fairview Avenue, Honesdale, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Horace Glover, Starrucca.

Emeric Hirsch (Rep.), Main Street, Hawley, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Charles C. Marshall, Hawley, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas J. Gillin, Box 5, McClellandtown, Fayette County, for appointment as Justice of the Peace in and for the Township of German, Fayette County, to serve until the first Monday of January 1958, vice Luke Gillen, deceased.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 5, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas E. Shipley, Meyersdale, Somerset County, for appointment as a member of the Board of Trustees of Somerset State Hospital, for the term of four years and until his successor is appointed and qualified, vice Anthony J. Anodide, Somerset, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Somerset State Hospital, for the term of four years and until their successors are appointed and qualified:

Ward W. Crist, Windber, Somerset County, from September 24, 1954.

Dr. George F. Wheeling, Windber, Somerset County (Reappointment).

Mrs. Katherine W. Parshall, 58 Nassau Street, Uniontown, Fayette County (Reappointment).

Paul A. Young, 344 Bedford Street, Bedford, Bedford County, vice P. J. Spangler, Bedford, resigned.

Mrs. Marian B. Rider, Perryopolis, Fayette County, vice Frank W. Black, Dickerson Run, removed from office.

John Philson, Jennerstown, Somerset County, vice B. F. Walters, Somerset, removed from office.

George Scull Cook, Somerset, Somerset County, vice Mrs. Clara McKenzie, Meyersdale, removed from office.

E. W. Troll, Jr., Somerset, Somerset County, vice Norman A. Shaulis, Esq., Somerset, removed from office.

GEORGE M. LEADER.

A motion was made by Mr. WABSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

FEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. PATKINS. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE APPOINTED PURSUANT TO SENATE CONCURRENT RESOLUTION, SERIAL No. 139

The PRESIDENT. The Chair, on behalf of the President pro tempore, wishes to announce the appointment of the following committee pursuant to Senate Concurrent Resolution, Serial No. 139:

The gentleman from Bucks, Mr. Watson; the gentleman from Delaware, Mr. Watkins; and the gentleman from Philadelphia, Mr. Stiefel.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 457, Printer's No. 248, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 794, Printer's No. 1001, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1105, as follows:

An Act providing for acceptance as a donation of a building known as Patients Store and Library at the Norristown State Hospital this structure to be owned and maintained by the Commonwealth as a part of the Norristown State Hospital

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor shall accept as a donation through the Board of Trustees of the Norristown State Hospital a building known as Patients Store and Library This structure was erected through the Board of Trustees and the Department of Property and Supplies with funds derived from profits in the patients' store at that institution It is valued at eighty-five thousand sixty-eight dollars ninety cents ($85,768.90) The site is already owned by the Commonwealth

On acceptance as Commonwealth property the structure will be included in the fixed assets of the Norristown State Hospital and will be owned and maintained as Commonwealth property as a part of that institution

Section 2 This bill shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Harney,	McPherson, Jr.,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Holland,	Mullin,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Peelor,	Wagner,
Dent,	Lane,	Propert,	Watkins,
Derk,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1572, Printer's No. 1044, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 173, Printer's No. 1046, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 535, on second reading, entitled:

An Act prohibiting the imposition of wage income or occupation taxes by cities of the first and second class second class A third class borough incorporated town or township on nonresidents of the city borough incorporated town or township imposing the tax and abolishing such taxes heretofore imposed

be recommitted to the Committee on Local Government.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 584, Printer's No. 301, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 729, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by provdiing for annual sessions of the General Assembly

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Section 1 (Section 4), page 2, line 7, by striking out after the word "shall" and before the word "not" the following: "be in session for not more than sixty days and shall"; amend Section 1 (Section 4), page 2, line 8, by striking out after the word "revenue" and before the word "laws" the following: "and"; amend Section 1 (Section 4), page 2, by striking out lines 9 to 11, inclusive, and inserting in lieu thereof the following: "and laws pertaining to subjects designated by proclamation of the Governor prior to the first Tuesday of January."

On the question,

Will the Senate agree to the amendments?

Mr. MAHANY. Mr. President, inasmuch as the hour is growing late, I wonder if the gentleman from Washington, Senator Lane, would consent to withdraw his amendments at this time if I would request that the bill go over in order until tomorrow.

Mr. LANE. Mr. President, in view of the fact that the Republican Party has some distinguished and lovely guests, I will acquiesce to his suggestion, with the understanding that my amendments will be submitted tomorrow and we will thrash it out then.

AMENDMENTS WITHDRAWN

Mr. LANE. Mr. President, accordingly, I withdraw my amendments to Section 1.

And the question recurring,

Will the Senate agree to the section?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 729, Printer's No. 305, on sceond reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 746, on second reading, entitled:

An Act providing for appropriations by cities of the first class to certain firemen's pension funds and for annual audits by the city controller defining the status of such pension funds and the cities representation for the administration thereof

be recommitted to the Committee on Local Government.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, November 14, 1955.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week it reconvene Monday, November 21, 1955, at 3:30 o'clock, p. m., E. S. T.; and when the House of Representatives adjourns this week it reconvene Monday, November 21, 1955, at 1:00 o'clock, p. m., E. S. T.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Tuesday, November 15, 1955, at 2:30 o'clock, p. m., Eastern Standard Time.

Mr. McCREESH. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:53 o'clock, p. m., Eastern Standard Time, until Tuesday, November 15, 1955, at 2:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, November 14, 1955.

The House met at 3:30 p. m. EST.

The CHIEF CLERK (Benjamin L. Long). The Speaker has instructed the Chief Clerk to announce for the information of the House that he has appointed the gentleman from Northumberland, Mr. Stank, as Speaker pro tempore for the session of Monday, November 14, 1955. The gentleman will please come to the rostrum.

Mr. STANK IN THE CHAIR.

The SPEAKER pro tempore. As a further mark of respect to the memory of the Honorable Henry C. Spencer, the Representative from the Fifth District of Lackawanna County, who died Friday, November 4th, the Members will please stand in silence following prayer until the gavel falls.

PRAYER

The Chaplain, Reverend Harold J. Crouse, Pastor of Trinity Lutheran Church, offered the following prayer:

Merciful Father in Heaven, Who holdest in Thy hand all the might of men and has ordained human government for the freedom and well being of all Thy children, we beseech Thee to look with gracious favor upon the Governor of this Commonwealth, the Representatives now assembled in session, the lay and special employes of this government.

Oh, God, teach us all to have a just and honorable pride in our respective employment of government. Direct these Representatives in the way of righteousness, quietness and unity. Give them the high quality of Godlike patience to wait upon the fulfillment of their convictions even in the midst of all external pressures and if right is right, then, Oh, God, give these Representatives courage to stand for it, not in any stubborn way but in loving brotherhood and gracious persuasion.

And God of all mercy, at this hour we beseech Thee to hear us even as we ask a special blessing, a blessing that only Thou canst give upon the family and the loved ones of the late Representative, Henry Spencer. Oh, Lord, uplift them all with Thy strength and breathe in their souls the everlasting and matchless message I am the resurrection and the life—because I live, ye shall live also. Further prosper all the good deeds of our brother to the glory of liberty unending and the welfare of all mankind.

Now help us all to show forth the praise of Thy name, through Jesus Christ, our Lord. Amen.

JOURNALS APPROVED

The SPEAKER pro tempore. Are there any corrections to the Journals of Tuesday, September 27, Wednesday, September 28, Wednesday, October 5, Thursday, October 6, Friday, October 7, Monday, October 10, Tuesday, October 11, Wednesday, October 12, Thursday, October 13, Friday, October 14, and Monday, October 24, 1955? If not, and without objection, the Journals are approved.

COMMUNICATIONS

RESOLUTION—SPARTA MERGED SCHOOL BOARD

The SPEAKER pro tempore laid before the House a Resolution adopted by the Sparta Merged School Board protesting the passage of legislation eliminating County Education Officers, County Superintendents, and County Boards of Education in Pennsylvania.

Referred to the Committee on Education.

URGING PASSAGE OF HOUSE BILLS 583 and 584

The SPEAKER pro tempore laid before the House a resolution adopted by the School District of the Borough of Plymouth urging the passage of House Bills Nos. 583 and 584.

Referred to the Committee on Education.

OPPOSING PASSAGE OF SENATE BILL 769

The SPEAKER pro tempore laid before the House a communication from the Greene County Board of School Directors opposing the passage of Senate Bill No. 769.

Referred to the Committee on Education.

FAVORING ENACTMENT OF LEGISLATION IMPOSING TON-MILE TAX ON TRUCKS

The SPEAKER pro tempore laid before the House a resolution adopted by the Brotherhood of Railway and Steamship Clerks favoring the adoption of legislation imposing a ton-mile tax on trucks.

Referred to the Committee on Motor Vehicles.

FAVORING SALARY INCREASE FOR ALL STATE EMPLOYEES

The SPEAKER pro tempore laid before the House a petition signed by employees of the Warren State Hospital supporting the passage of a five hundred dollar increase in salary for all state employees.

Referred to the Committee on Appropriations.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 229 and 954.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 27, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 229, Printer's No. 1028, entitled "An Act prohibiting certain practices of discrimination because of race color religious creed ancestry age or national origin by employers employment agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent prejudice providing for judicial review and enforcement and imposing penalties."

GEORGE M. LEADER.

November 4, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 954, Printer's No. 1048, entitled "An act amending the act of June 24, 1937 (P. L. 2017) entitled 'An act creating in each county (ex-

cept of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws' providing for annual salaries for county commissioners and the Controller in counties of the second class for services as officers of the institution district."

GEORGE M. LEADER.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REORGANIZATION PLANS NOS. 2, 3, 4 and 5

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

REORGANIZATION PLAN NO. 2

In the House of Representatives,
November 14, 1955.

Resolved, that Reorganization Plan No. 2 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be approved.

In the House of Representatives,
November 14, 1955.

RESOLUTION

Resolved, that Reorganization Plan No. 2 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be disapproved.

TO THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA:

By authority vested in me by the Reorganization Act of 1955, Act No. 8, I transmit herewith Reorganization Plan No. 2 of 1955. This transfers from the Department of Public Instruction to the Department of State duties imposed by the Act of May 13, 1925, P. L. 644, as amended. This measure relates to the issuance of certificates to parties who solicit for charitable purposes.

This transfer of functions is a step in the direction of freeing the over-burdened Department of Public Instruction from responsibilities which are not directly related to schools and education. At the same time this transfer is a step toward the concentration of widely-dispersed licensing activities in one of the smaller departments—the Department of State. Because, I believe, the transfer will make for more efficient and economical operation of State government I urge its favorable consideration by the General Assembly.

GEORGE M. LEADER,
Governor.

Dated: November 14, 1955.

Transmitted to the General
Assembly on November 14, 1955.

REORGANIZATION PLAN NO. 2 of 1955

Section 1. The functions of the Department of Instruction as set forth in the Act of May 13, 1925, P. L. 644, and its amendments, are transferred from that department to the Department of State.

Section 2. There are hereby transferred to the Department of State to be used, employed and expended in connection with the functions transferred by Section 1 of this Reorganization Plan the records and equipment now being used or held in connection with such functions; and the unexpended balances of appropriations or other funds available or to be made available for use in connection with such functions.

Section 3 The Act of May 13, 1925, P. L. 644, as amended, is suspended in so far as it is in conflict with this Reorganization Plan.

REORGANIZATION PLAN NO. 3

In the House of Representatives,
November 14, 1955.

RESOLUTION

Resolved, that Reorganization Plan No. 3 of 1955, transmitted to the General Assemly under date of November 14, 1955, which is incorporated herein by reference, be approved.

In the House of Representatives,
November 14, 1955.

RESOLUTION

Resolved, that Reorganization Plan No. 3 of 1955, transmitted to the General Assemly under date of November 14, 1955, which is incorporated herein by reference be disapproved.

TO THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA:

By authority vested in me by the Reorganization Act of 1955, Act No. 8, I transmit herewith Reorganization Plan No. 3 of 1955. This measure transfers the functions, powers, and duties of the State Board of Funeral Directors from the Department of Health to the Department of State.

The transfer recommended is a step in the direction of freeing the Department of Health from duties which are not directly related to its principal purposes. At the same time it is a step toward concentrating widely-dispersed licensing activities in one department—the Department of State. Because I believe this transfer will make for more efficient and economical operation of State government and consolidate functions as nearly as may be according to major purposes, I recommend its approval by the General Assembly.

GEORGE M. LEADER,
Governor.

Dated: November 14, 1955.

Transmitted to the General
Assembly on November 14, 1955.

REORGANIZATION PLAN NO. 3 OF 1955

Section 1. The State Board of Undertakers, renamed the State Board of Funeral Directors by the Act of January 14, 1952, P. L. 1898, together with its functions, powers and duties, is transferred from the Department of Health, where it has been a departmental administrative board, to

the Department of State, where it shall be a departmental administrative board, with the same status under the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, as that of departmental administrative boards.

Section 2. There are hereby transferred to the Department of State, to be used, employed and expended in connection with the functions transferred by Section 1 of this Reorganization Plan, the records, equipment and personnel now being used, held or employed in connection with such functions; and the unexpended balances of appropriations, allocations and other funds available or to be made available for use in connecnection with such functions.

Section 3. The functions of the Secretary of Health, under Section 419 of The Administrative Code of 1929, and its amendments, are transferred to and shall be exercised by the Secretary of the Commonwealth.

Section 4. The functions of the Department of Health, under the Act of January 14, 1952, P. L. 1898, known as the "Funeral Director Law," and its amendments, are transferred to and shall be exercised by the Department of State.

Section 5. The following acts and parts of acts are suspended as particularly set forth:

The Act of January 14, 1952, P. L. 1898, known as the "Funeral Director Law," and its amendments, in so far as they are in conflict with this Reorganization Plan.

Section 202 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, in so far as it affects the location of the State Board of Undertakers, renamed the State Board of Funeral Directors by the Act of January 14, 1952, P. L. 1898, in the Department of Health.

Section 419 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, in so far as it imposes functions, powers and duties on the Secretary of Health, and in so far as the name "State Board of Undertakers" is concerned.

Section 2112 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, in so far as the name "State Board of Undertakers" is concerned.

REORGANIZATION PLAN NO. 4

In the House of Representatives,
November 14, 1955.

RESOLUTION

Resolved, that Reorganization Plan No. 4 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be approved.

In the House of Representatives,
November 14, 1955.

RESOLUTION

Resolved, that Reorganization Plan No. 4 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be disapproved.

TO THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA:

By authority vested in me by the Reorganization Act of 1955, Act No. 8, I transmit herewith Reorganization Plan No. 4 of 1955. This plan transfers the following boards, and their powers, functions, and duties, from the Department of Public Instruction to the Department of State:

State Board of Medical Examination and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Nurse Examiners
State Board of Barber Examiners
State Board of Cosmetology
State Board of Veterinary Medical Examiners
State Board of Examination of Public Accountants
State Board of Examiners of Architects
State Registration Board for Professional Engineers
State Board of Chiropractic Examiners
State Real Estate Commission

Transfer of these boards from the overburdened Department of Public Instruction is a step in the direction of freeing the department from functions which are not directly related to schools and education. At the same time it is a step toward concentrating widely-dispersed licensing activities in one department—the Department of State, thus grouping and consolidating agencies as nearly as may be according to major purposes. Because I believe these transfers will make for more efficient and economical operation of State government, I recommend their approval by the General Assembly.

GEORGE M. LEADER,
Governor.

Dated: November 14, 1955.

Transmitted to the General Assembly on November 14, 1955.

REORGANIZATION PLAN NO. 4 OF 1955.

Section 1. Certain agencies and functions of the Department of Public Instruction are transferred from the Department of Public Instruction to the Department of State as herein provided.

Section 2. The State Board of Medical Examination and Licensure, the State Board of Pharmacy, the State Dental Council and Examining Board, the State Board of Optometrical Examiners, the State Board of Osteopathic Examiners, the Osteopathic Surgeons' Examining Board, the State Board of Nurse Examiners, the State Board of Barber Examiners, the State Board of Cosmetology, the State Board of Veterinary Medical Examiners, the State Board of Examination of Public Accountants, the State Board of Examiners of Architects, the State Registration Board for Professional Engineers, the State Board of Chiropractic Examiners, the State Real Estate Commission, and the powers and duties vested in and imposed upon them by law, are transferred from the Department of Public Instruction, where the above boards have been departmental administrative boards and commissions, to the Department of State, where the boards shall be departmental administrative boards and commissions, with the same status under the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, as that of departmental administrative boards and commissions.

Section 3. The functions of the Superintendent of Public Instruction under Sections 412, 413, 414, 415, 416, 417, 418, 420, 421, 422, 425, 453, 459, 461 and 462 of the Act of April 9, 1929,

P. L. 177, known as "The Administrative Code of 1929," and its amendments, are transferred to and shall be exercised by the Secretary of the Commonwealth.

Section 4. The following functions, powers and duties vested in the Department of Public Instruction under clauses (e), (g), (h), (i), (j), (k), and (l) of Section 1304, and Section 1304.1 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and their amendments, are transferred and vested in the Department of State:

(1) To establish reciprocity with other states as regards professional licenses issued by the department.

(2) To keep the records of all of the professional examining boards established in the department in the City of Harrisburg, Dauphin County, Pennsylvania.

(3) To issue all certificates and other official documents of the various professional examining boards in the department. The officers and members, or any of them, of any such examining board, may also sign such certificates and other documents, if the board shall have taken action authorizing such signatures.

(4) To assist any professional examining board within the department, if, as and when, requested by the board.

(5) To cooperate with the several professions whose examining bodies are within the department, in the determination and establishment of standards for professional education.

(6) Whenever under any Act of Assembly, enacted at the Session of the General Assembly at which this Reorganization Plan was effected, or at any subsequent Session of the General Assembly, the right to practice any profession, or work at any trade or occupation, shall be conditioned upon examination, licensure, or registration by or within the department, unless otherwise provided by law, to hold the examinations, make such investigations, require such information, and do and perform all other acts which may be necessary to determine whether applicants for licensure or registration are qualified to practice the profession or work at the trade or occupation within this Commonwealth, and, in proper cases to issue licenses and certificates of registration. In performing its duties under this clause, the department shall appoint an advisory committee, of not more than five members, of each profession, trade, or occupation, applicants to practice or work at which are examined and licensed hereunder. Each such committee shall assist the department in holding examinations, and passing upon information submitted. Members of every advisory committee, appointed by the department under the authoriity hereby conferred, shall serve at the pleasure of the department, and shall be compensated at the rate of fifteen dollars per diem for each day of service rendered to the department, and shall receive the expenses actually incurred by them while engaged in assisting the department, as herein provided, the payment of such expenses, however, to be subject to the rules and regulations of the Executive Board.

(7) Unless otherwise provided by law, to fix the fees to be charged by the several professional examining boards within the department.

(8) If any person, association, copartnership, or corporation shall obtain a certificate, license, permit, or registration, by fraud or misrepresentation, from the Department of State or the responsible administrative agency, board, or commission therein, such department, administrative agency, board, or commission shall have the power to cancel such certificate, license, permit, or registration, after giving reasonable notice and opportunity to be heard.

Section 5. There are hereby transferred to the Department of State, to be used, employed and expended in connection with the functions, powers and duties transferred by this Reorganization Plan, the records, equipment and personnel now being used, held or employed in connection with such functions, powers and duties; and the unexpended balances of appropriations, allocations and other funds available or to be made available for use in connection with such functions, powers or duties.

Section 6. (a) The following acts and parts of acts are suspended in so far as they are in conflict with the provisions of this Reorganization Plan:

(1) The Act of March 19, 1909, P. L. 46, entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," and its amendments.

(2) The Act of June 3, 1911, P. L. 639, entitled, as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith," and its amendments.

(3) The Act of March 30, 1917, P. L. 21, entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," and its amendments.

(4) The Act of May 17, 1917, P. L. 208, entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison"; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," and its amendments.

(5) The Act of July 12, 1919, P. L. 933, entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by pro-

viding for the examination and registration of architects by a State Board of Examiners; defining the power and duties of said board of examiners; and providing penalties for the violation of this act," and its amendments.

(6) The Act of May 13, 1927, P. L. 988, entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," and its amendments.

(7) The Act of May 1, 1929, P. L. 1216, known as the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," and its amendments.

(8) The Act of June 19, 1931, P. L. 589, entitled, as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," and its amendments.

(9) The Act of May 1, 1933, P. L. 216, known as "The Dental Law," and its amendments.

(10) The Act of May 3, 1933, P. L. 242, entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," and its amendments.

(11) The Act of April 27, 1945, P. L. 321, known as "The Vetterinary Law."

(12) The Act of May 23, 1945, P. L. 913, known as the "Professional Engineers Registration Law."

(13) The Act of May 26, 1947, P. L. 318, known as "The C. P. A. Law," and its amendments.

(14) The Act of May 22, 1951, P. L. 317, known as "The Professional Nursing Law."

(15) The Act of August 10, 1951, P. L. 1182, known as "Chiropractic Registration Act of 1951," and its amendments.

(16) Clauses (e), (g), (h), (i), (j), (k) and (l) of Section 1304 and Sections 1304.1 and 1310 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and their amendments.

(b) The following acts and parts of acts are suspended as particularly set forth:

(1) Section 202 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and its amendments, as it effects the location of the State Board of Medical Education and Licensure, the State Board of Pharmacy, the State Dental Council and Examining Board, the State Board of Optometrical Examiners, the State Board of Osteopathic Examiners, the Osteopathic Surgeons' Examining Board, the State Board of Nurse Examiners, the State Board of Barber Examiners, the State Board of Cosmetology, the State Board of Veterinary Medical Examiners, the State Board of Chiropractic Examiners, the State Board for the Examination of Public Accountants, the State Board of Examiners of Architects, and the State Registration Board for Professional Engineers, in the Department of Public Instruction.

(2) Sections 412, 413, 414, 415, 416, 417, 418, 420, 421, 422, 425, 459, 461 and 462 of the Act of April 9, 1929, P. L. 177, known as "The Administrative Code of 1929," and their amendments, in so far as they impose functions, powers and duties on the Superintendent of Public Instruction.

REORGANIZATION PLAN NO. 5

In the House of Representatives,
November 14, 1955.

RESOLUTION

Resolved, that Reorganization Plan No. 5 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be approved.

In the House of Representatives,
November 14, 1955.

RESOLUTION

Resolved, that Reorganization Plan No. 5 of 1955, transmitted to the General Assembly under date of November 14, 1955, which is incorporated herein by reference, be disapproved.

To the General Assembly of the Commonwealth of Pennsylvania:

By authority vested in me by the Reorganization Act of 1955, Act No. 8, I transmit herewith Reorganization Plan No. 5 of 1955. This transfers from the Department of Welfare to the Department of Justice the supervision, visiting, and inspection of prisons and jails maintained by counties, cities, boroughs, and townships.

This transfer is intended to complete the action begun in 1953 when responsibility for State prisons was transferred from the Department of Welfare to the Department of Justice. The transfer now recommended will place the Commonwealth's responsibility for all matters relating to prisons, in one agency—the Department of Justice. In my opinion this will result in improved administration, efficiency and economy, and will coordinate and consolidate agencies and functions of the government as nearly as may be according to major purposes. Accordingly, I recommend favorable consideration of the transfer by the General Assembly.

GEORGE M. LEADER.
Governor.

Dated: November 14, 1955.

Transmitted to the General
Assembly on November 14, 1955.

REORGANIZATION PLAN NO. 5 of 1955

Section 1. The functions, powers and duties of the Department of Welfare with regard to the supervision, visiting and inspection of prisons and jails maintained by counties, cities, boroughs or townships, as set forth in clause (b) of Section 2303, and Sections 2304 and 2305 of The Administrative Code of 1929, and their amendments, are transferred to the Department of Justice.

Section 2. There are hereby transferred to the Department of Justice to be used, employed and expended in connection with the functions, powers and duties transferred by Section 1 of this Reorganization Plan, personnel, contract obligations, if any, records, files, property, supplies and equipment now being used or held in con-

nection with such functions, powers and duties, and the unexpended balances of appropriations, allocations and other funds available or to be made available for use in connection with such functions, powers and duties.

Section 3. Clause (b) of Section 2303, and Sections 2304 and 2305 of The Administrative Code of 1929, and their amendments, are suspended in so far as they confer functions, powers and duties on the Department of Welfare with regard to the supervision, visiting and inspection of prisons and jails maintained by counties, cities, boroughs or townships.

Section 4. All the duties and responsibilities of the Department of Welfare set forth in the Act of April 5, 1872, P. L. 42, are hereby transferred to the Department of Justice and the provisions of said act are hereby suspended in so far as they confer powers and duties on the Department of Welfare.

The SPEAKER pro tempore. The Reorganization Plans will be laid over for printing.

BILLS INTRODUCED AND REFERRED

The SPEAKER pro tempore. The Speaker has referred the following bills:

By Mr. READINGER. HOUSE BILL No. 1850.

An Act amending the act of January 14, 1952 (P. L. 1965), entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; requiring registration of carriers for hire; imposing duties on such persons; requiring persons selling or delivering fuels to licensed dealer-users to furnish information; imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensees; and providing penalties," excepting aviation fuels from the act.

Referred to the Committee on Ways and Means.

By Mr. READINGER. HOUSE BILL No. 1851.

An Act amending the act of May 21 ,1931 (P. L. 149), entitled, as amended "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," excepting aviation fuels from the act.

Referred to the Committee on Ways and Means.

By Mr. READINGER. HOUSE BILL No. 1852.

An Act amending the act of May 1, 1929 (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," eliminating appropriations to the Department of Revenue for aviation purposes.

Referred to the Committee on Ways and Means.

By Mr. READINGER. HOUSE BILL No. 1853.

An Act imposing an excise tax on aviation fuels; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; requiring registration of carriers for hire; imposing duties on such persons; requiring persons selling or delivering aviation fuels to licensed dealer-users to furnish information imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensees; and providing penalties.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

SENATE RESOLUTION FOR CONCURRENCE SERIAL No. 154

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, October 24, 1955.

Today, October 24, has been designated by our Governor as United Nations Day. It also marks the tenth anniversary when nations all over the world inaugurated a plan whereby international problems would be discussed and settled by peaceful means.

The formation of the United Nations Organization, dedicated to protect the world against aggression and to establish and maintain peace and insure security and liberty to all peace loving peoples, has to a great measure relieved the world of the fears of war.

The U. N. is urged to continue its great efforts in settling problems between nations and effecting world peace therefore be it

Resolved, (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania congratulates the United Nations Organization on this its tenth anniversary; and be it further

Resolved, That a copy of this resolution be transmitted to the United Nations Organization.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE RESOLUTION FOR CONCURRENCE SERIAL NO. 155

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, October 24, 1955.

Whereas, Millions of tons of silt deposits have been removed from the Schuylkill River since the Schuylkill River Desilting Project was initiated in 1945, and

Whereas, Silt impounding basins were constructed to facilitate continuous desilting, and

Whereas, The legislation which established the Schuylkill River Desilting Project provides for a return on the cost of the project through the sale of recovered materials; therefore be it

Resolved, (the House of Representatives concurring), That the Joint State Government Commission be directed to ascertain the volume and value of marketable anthra-

cite coal and other marketable materials recovered from the operation of the Schuylkill River Desilting Project; the amount realized by the Commonwealth from the sale of recovered materials; and the circumstances surrounding the sale of such recovered materials.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Referred to the Committee on Rules.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair is pleased to announce that a former Member, the Honorable Albert P. Way of Clearfield County is present in the House today. He had served six years as a Member in the House.

REPORTS FROM COMMITTEE

Mr. KOLANKIEWICZ from the Committee on Rules, reported as amended, House Bill No. 1491, entitled:

An Act requiring the office of register of wills and the office of the prothonotary in cities of the first class to be closed on Saturdays for the transaction of business; and authorizing certain actions to be performed in that office on the day succeeding the day required by law.

Mr. KOLANKIEWICZ from the Committee on Rules, reported as committed, House Bill No. 1775, entitled:

An Act amending the act of August 5, 1941 (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Common wealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," further regulating provisional appointments.

Mr. KOLANKIEWICZ from the Committee on Rules, reported as committed, House Bill No. 1776, entitled:

An Act to further amend section two hundred five of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State Departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by restoring the director to the classified service.

Mr. KOLANKIEWICZ from the Committee on Rules, reported as committed, House Bill No. 1777, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further defining the powers of the Department of Property and Supplies relating to automobiles.

Mr. KOLANKIEWICZ from the Committee on Rules, reported as committed, House Bill No. 1795, entitled:

An Act to further amend the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," by increasing the investment powers of State administrative departments, boards, commissions or officers.

Mr. READINGER from the Committee on Rules, reported as amended, Senate Bill No. 541, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating the General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreement with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering the General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," authorizing the sale, transfer and conveyance of property or interest therein.

Mr. KOLANKIEWICZ from the Committee on Rules, reported as committed, House Resolution No. 114.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1527, entitled:

An Act for the protection of the public health and welfare and the prevention of fraud and deception in the manufacture, preparation, packaging, dispensing and sale of non-alcoholic drinks and the use and operation of automatic or manual dispensing equipment relative thereto; prohibiting the sale, offering or exposing for sale, exchange or the giving away thereof unless registered; providing for licensing of places of manufacture, preparation, compounding, and packaging and the licensing or registration of automatic or manual dispensing equipment; regulating the manufacture, compounding, labeling, selling, sanitation, and the ingredients of non-alcoholic drinks and the display of presses; prohibiting misbranding and adulteration; authorizing promulgation of rules, regulations and standards; providing for penalties and for injunctions in certain cases, and the disposition of fees and fines.

The first section was read.
On the question,
Will the House agree to the section?

BILL POSTPONED

Mr. SNIDER. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1786, entitled:

An Act providing for cooperation by the Commonwealth of Pennsylvania in conjunction with the State of New Jersey with the United States of America in the improvement and maintenance of the Delaware River between Allegheny Avenue Philadelphia Pennsylvania and Trenton Marine Terminal Trenton New Jersey and making an appropriation.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No 1798, entitled:

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges, transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as heretofore amended and supplemented; authorizing the Governor of either State to veto the action of any commissioner from his State requiring express authorization by the two states for the construction or acquisition of any additional bridge or port and terminal facility, and the administration, operation and maintenance thereof; and authorizing the Governor to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent to such supplemental compact or agreement.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1818, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania authorizing exemptions of parsonages manses and convents from taxation.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 179, entitled:

An Act amending the act of April 25 1929 (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" increasing the investment powers of State administrative departments boards commissions or officers.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,
Senate Bill No. 722, Printer's No. 265,
was passed over at the request of the Speaker pro tempore.

APPROPRIATION BILL ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 785, entitled:

An Act to provide for the ordinary expenses of the Department of Public Instruction for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five and making appropriations to the Department of Public Instruction for reimbursements to school districts.

On the question,
Will the House agree to the bill on third reading?
Mr. POLEN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.
The SPEAKER. The amendment will be read by the Clerk for information.
Amend Section 3, page 19, lines 7 and 8, by striking out "three million nine hundred fifty thousand dollars ($3,950,000)" and inserting in lieu thereof: Four million four hundred twenty-two thousand dollars ($4,422,000).

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.
On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

The SPEAKER pro tempore. If there is no objection, all other bills on today's calendar will be passed over. The Chair hears none.

PERMISSION TO ADDRESS HOUSE

Mr. CHARLES C. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I believe when the Governor was campaigning last year one of the statements he made was that there would be no secrets with the people of Pennsylvania.

I believe that the Speaker, Mr. Andrews, has said several times that if there was any information needed to facilitate anything he would see to it that we would have an open book. I believe those were his words.

Mr. Speaker, we have on the calendar House Bills 1823, 1824 and 1825, which are the highway bills. We knew they were rather unusual bills, we also knew they were bills that might be controversial and to vote intelligently we would have to have facts.

Last September 29th I wrote, and I want this to be a matter of record, to Honorable Joseph J. Lawler. I am now quoting from the letter:

"My dear Secretary Lawler:

In view of the fact that the estimates in the 1955-57 budget of motor license fund revenue were made prior to April and we are now at the end of September, I would appreciate receiving up-to-date information on the following:

1. Cash balance in fund on May 31, 1955.

2. Receipts during June, July and August.

3. Commitments against cash balance on May 31, 1955.

4. New commitments made from May 31st, through August 31, 1955.

5. Portion of Federal Aid for Fiscal Year 1956 (beginning July 1, 1955) which has been committed by construction contracts.

6. How much Federal Aid for Fiscal Year 1956, now committed has been matched with motor license funds, and how much with Highways and Bridge Authority Funds.

7. How much of balance of Federal Aid for Fiscal Year 1956, will be matched with motor license funds, and how much with State and Highway Bridge Authority funds now on hand.

I would appreciate receiving this information as soon as possible in view of the fact that the legislature is now studying the Governor's new highway program.

Sincerely yours,

Charles C. Smith, Republican Floor Leader.

I call the attention to the fact that that letter was sent Sepember 29h.

October 17th, not having received an answer, which was approximately three weeks later, I wrote this letter to Mr. Lawler:

"Under date of September 29th, I wrote you for some pertinent information with reference to the Highway Department, in order that we might be prepared for proposed legislation when it comes before us. There were seven questions in all, which we had raised, and were hoping you could furnish the information to us.

I have not yet received a reply, and would be most grateful if this information could be furnished us as promptly as possible.

With appreciation of your courtesy in this matter, I am

Sincerely

Charles C. Smith, Republican Floor Leader."

Today I believe we are in the middle of November, over seven weeks past the original date of my letter. The Secretary has actually never made any comment, he has never called, he has never said anything in regard to any of this information we have requested.

Mr. Speaker, if we are to vote intelligently on these programs, and if the Secretary does not have something to hide, or if he is fearful of something, and he certainly must be because I do not believe any of the information we have asked for is unfair; I do not believe any of it would be information he would not have available, he should have it available at his finger tips.

I did not know that you were going to serve, but I was going to ask Mr. Andrews, the Speaker, if possibly he or the Majority Leader, Mr. Readinger, could see fit to get Secretary Lawler to at least have the courtesy to reply to a minority Member when he is asking for information on legislation which is on the calendar.

I cannot say what we are going to do next week, but unless this information is in my hands, I don't think there will be any votes for any highway program. We are asking for something that is honest and something that we should have. The Secretary up to this point, seven weeks, has refused to give it to us. I think it is unfair, I think he is trying to hide something.

I must resort again, Mr. Speaker, to our famous old quotation, "What are you up to now in the Highway Department?"

RESOLUTION

CONDOLENCE

Mr. FRANK asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, November 14, 1955.

George R. Holstrom, former member of the House of Representatives, passed away on November 5, 1955 in a Veteran Hospital, Chicago, Illinois. He was sixty years of age.

Holstrom was born at Superior, Wisconsin in the year 1895, a son of Peter and Hannah Holstrom. After service in World War I, he attended Muhlenberg College, where, because of his outstanding athletic ability, he became a legendary athletic hero. Upon graduation and after outstanding service as a football official and as recreation supervisor at Allentown, Pennsylvania, he returned to his Alma Mater in 1925 and served as coach in basketball, football and baseball until 1932. He was elected to the House of Representatives in 1935 and served two terms as a capable legislator. At the time of his death, he was district manager for a pump manufacturing firm.

Holstrum, a man liked by all who met him, will always be remembered as a kindly man with a friendly smile who was always willing to lend a helping hand in community affairs or to his friends or neighbors.

He is survived by two brothers and three sisters; Robert

and Arthur, Superior, Wisconsin, Mrs. Axiline Bloomquest, of Camden, New Jersey; Mrs. Keeney, and Mrs. Selma Daunlin of Los Angeles, California; therefore be it

Resolved, That the House of Representatives extend its heartfelt condolences to the family of George R. Holstrom and be it further

Resolved, That copies of this resolution be sent to each of the above named members of his family as a token of the sympathy extended to them in their hour of grief by this House of Representatives.

RESOLUTION

CONGRATULATIONS

Mrs. ANDERSON, Messrs. KOLANKIEWICZ, PETTIGREW, HOLT, Mrs. MONROE, Messrs. FLOYD, MATT S. ANDERSON, MULLEN and BOIES asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, November 14, 1955.

Our fellow member, the Hon. Granville E. Jones, was born with the century on October 14, 1900. He has also progressed with the century and has gained prominence in position, responsibility and influence.

He has been a member of this House beginning with the Legislative Session of 1949 and has accredited himself well. During that period he has gained the good friendship and respect of each member of the House of Representatives that has served with him; therefore be it

Resolved, That on this the anniversary of his birthday the House of Representatives wish him a most happy birthday and health and prosperity for as many years in the future as he already has lived; and be it further

Resolved, That the Chief Clerk of the House of Representatives present to Mr. Jones a copy of this resolution as a token of our warm friendship for him.

BILLS INTRODUCED AND REFERRED

By Mr. POLEN. HOUSE BILL No. 1854.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Referred to the Committee on Appropriations.

By Mr. MORAN. HOUSE BILL No. 1855.

An Act to further amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by changing existing law for the commitment of persons who become insane after the death penalty is fixed or death sentence imposed.

Referred to the Committee on Judiciary.

By Mr. POLEN. HOUSE BILL No. 1856.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Referred to the Committee on Appropriations.

By Mr. FRANK. HOUSE BILL. No. 1857.

An Act amending the act of May 2, 1925 (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," authorizing refunds of fees, fines and other moneys erroneously or unjustly collected.

Referred to the Committee on Fisheries.

By Mr. READINGER. HOUSE BILL No. 1858.

An Act to further amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), enitled, as amended, "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; making it unlawful to possess cigarettes upon which the tax has not been paid; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by providing that the tax imposed by this act shall be conclusively presumed to be a direct tax on the retail purchaser or consumer.

Referred to the Committee on Ways and Means.

By Mr. McWHERTER. HOUSE BILL No. 1859.

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," making a further exception to ineligibility for compensation.

Referred to the Committee on Workmen's Compensation.

By Mr. MORAN. HOUSE BILL No. 1860.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating official inspections of motor vehicles, trailers and semi-trailers.

Referred to the Committee on Motor Vehicles.

By Mr. SNIDER. HOUSE BILL No. 1861.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of cer-

tain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the Department of Forests and Waters to operate and maintain nurseries, and transferring to that department a nursery now operated by the Department of Highways.

Referred to the Committee on State Government.

By Mr. BOIES. HOUSE BILL No. 1862.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," making it a crime to commit a fraud regarding any form or application filed with the department.

Referred to the Committee on Motor Vehicles.

By Mr. BOIES. HOUSE BILL No. 1863.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating lighting equipment, lights and devices, and the use thereof; and prescribing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. BOIES. HOUSE BILL No. 1864.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the use of registration plates warning devices and flags and clarifying the designation of "No Passing Zones."

Referred to the Committee on Motor Vehicles.

By Mr. FRANK. HOUSE BILL No. 1865.

An Act amending the act of August 24, 1951 (P. L. 1304), entitled "An act to improve local health administration throughout the Commonwealth by authorizing the creation, establishment and administration of single-county or joint-county departments of health in all counties except counties of the first class; exempting certain municipalities from the jurisdiction of single-county or joint-county departments of health; permitting the dissolution of departments or boards of health in certain municipalities; authorizing State grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements; conferring powers and duties upon the State Department of Health in connection with the creation, establishment and adminisration of single-couny or joint-county departments of health and administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of health, and the administration of State grants; and repealing an act which confers health powers upon counties of the first class," regulating pension and retirement rights of employes of single-county and joint-county departments of health.

Referred to the Committee on Counties.

By Mr. FRANK. HOUSE BILL No. 1866.

An Act amending the act of June 27, 1923 (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration hereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve, excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further regulating the rights of employes of county health departments.

Referred to the Committee on Appropriations.

By Mr. O'NEIL. HOUSE BILL No. 1867.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private

and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of certain handicapped children.

Referred to the Committee on Education.

By Mr. O'NEIL. HOUSE BILL No. 1868.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," prohibiting driving on the wrong side of a divided highway.

Referred to the Committee on Motor Vehicles.

By Mr. O'NEIL. HOUSE BILL No. 1869.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," making it unlawful for any person to lend or permit the use of an operator's license or learner's permit not issued to him.

Referred to the Committee on Motor Vehicles.

By Mr. JOHN J. MURRAY. HOUSE BILL No. 1870.

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," exempting from the provisions thereof transportation of school children of private, church and parochial schools in certain cases.

Referred to the Committee on Public Utilities.

By Mr. BARNATOVICH. HOUSE BILL No. 1871.

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," regulating refund of fees, fines or other moneys erroneously or unjustly collected and deposited; and appropriating moneys from the Game Fund for the refund of fees, fines or other moneys unjustly collected.

Referred to the Committee on Conservation and Wild Life.

By Mr. McGEE. HOUSE BILL No. 1872.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing

the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Governor to appoint and fix the compensation of comptrollers and other related employes in The General State Authority, the State Public School Building Authority and the State Highway and Bridge Authority.

Referred to the Committee on State Government.

By Mr. McGEE. HOUSE BILL No. 1873.

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and interinsurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by changing provisions relating to certain legal proceedings.

Referred to the Committee on Insurance.

By Messrs. WILLIAMS and NEEDHAM. HOUSE BILL No. 1874.

An Act amending the act of July 15, 1897 (P. L. 287), entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth, and to provide for the examination of persons seeking employment as miners in the anthracite region, and to prevent the employment of incompetent persons as miners in anthracite coal mines, and providing penalties for a violation of the same," prescribing powers and duties of certain miners examining boards.

Referred to the Committee on Mines and Mining.

By Mr. NEEDHAM. HOUSE BILL No. 1875.

An Act amending the act of June 2, 1891 (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," changing duties of mine foremen and assistants with respect to mine examinations and safety.

Referred to the Committee on Mines and Mining.

By Mr. GARLOCK. HOUSE BILL No. 1876.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the removal of wrecked and abandoned automobiles.

Referred to the Committee on Motor Vehicles.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 14, 1955.

Resolved, (The House of Representatives concurring), That when the Senate adjourns this week it reconvene Monday, November 21, 1955, at 3:30 o'clock p. m., EST, and when the House of Representatives adjourns this week it reconvene Monday, November 21, 1955, at 1:00 o'clock p. m. EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT

Mr. LOPRESTI. Mr. Speaker, I move that this House do now adjourn until Monday, November 21, 1955 at 1:00 p. m. EST.

The motion was agreed to, and (at 5:37 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., TUESDAY, NOVEMBER 15, 1955. No. 105.

SENATE

TUESDAY, November 15, 1955.

The Senate met at 2:30 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. MATTHEW A. YANOSEK, Pastor of Holy Trinity Church, Ford City, offered the following prayer:

In the Name of the Father, Son and Holy Ghost. Eternal and Everlasting God, our Heavenly Father, pour forth we beseech Thee Thy graces into all hearts this day that the Members of the Senate, chosen by the people of this Commonwealth, may have open minds to know the right. Deepen their wisdom and awaken in them a desire to act for the common welfare of the people they represent.

We humbly beg Thee that through Thy grace they may be permitted to serve Thee before they serve themselves, and find the blessed place above parties and personalities in the performance of their duties.

Bless the Governor, his Cabinet and officers, as well as all who in any way affect the lives of the people of this Commonwealth. Grant them those lights and graces that are necessary for the perfect discharge of their duty to Thee and to the people.

Grant, we beseech Thee, continued recovery to the President of these United States of America, that with a sound body and mind he may continue in the discharge of his duties. Grant further our desire, according to Thy will, for success in his endeavors for world peace. Through Jesus Christ our Lord, Amen.

In the Name of the Father, Son and Holy Ghost.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. VAN SANT, further reading was dispensed with, and the Journal was approved.

NOMINATION BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE STATE TAX EQUALIZATION BOARD

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank K. Cochran, 444 Sidney Street, Greensburg, Westmoreland County, for appointment as a member of the State Tax Equalization Board, until November 14, 1959, and until his successor shall be duly appointed and shall have qualified, vice Hon. Walter J. Kress, Johnstown, whose term expired.

GEORFGE M. LEADER.

REPORTS FROM COMMITTEES

Mr. SCOTT, from the Committee on Judiciary General, reported as committed Senate Bill No. 151, entitled:

An Act amending the act of June 20 1919 (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; . . .," exempting certain persons corporations and organizations from tax on the transfer of property inherited or received by them.

Mr. KOPRIVER, JR., from the Committee on Public Health and Welfare, reported as amended Senate Bill No. 249, entitled:

An Act amending the act of June 24 1937 (P. L. 2051) entitled "Public Assistance Law," increasing monthly pension allowance and maximum income allowance crediting encumbrances in realty valuation and abolishing the sum of income and pension as a ceiling for pension receivable.

He also from the Committee on Public Health and Welfare, reported as amended House Bill No. 670, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled " The Administrative Code of 1929," revising and expanding the state mental health program providing for the appointment of a Deputy to be known as Commissioner of Mental Health and creating an advisory council on mental health in the Department of Welfare prescribing their powers and duties and changing the powers and duties of the boards of trustees of the several State mental institutions.

Mr. SILVERT, from the Committee on Insurance, reported as committed House Bill No. 1079, entitled:

An Act amending the act of May 17 1921 (P. L. 682) entitled "The Insurance Company Law of 1921," further providing for defining and regulating the issuance of group blanket and franchise accident and sickness insurance.

He also from the Committee on Insurance, reported as committed House Bill No. 1330, entitled:

An Act amending the act of May 17 1921 (P. L. 682) entitled "The Insurance Company Law of 1921," further regulating reserves with respect to domestic mutual fire insurance companies.

He also from the Committee on Insurance, reported as committed House Bill No. 1331, entitled:

An Act amending the act of May 17 1921 (P. L. 789) entitled as amended "The Insurance Department Act of one thousand nine hundred and twenty-one" changing provisions relating to fees.

Mr. DERK, from the Committee on Public Health and Welfare, reported as amended Senate Bill No. 816, entitled:

An Act amending the act of March 10, 1949, (P. L. 30) entitled "Public School Code of 1949," revising the school health services program and transferring the reimbursement appropriation for school nurses in such program to the Department of Public Instruction.

Mr. WAGNER, from the Committee on Education, reported as committed Senate Bill No. 759, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949," limiting reimbursement for depreciation to school districts using their own vehicles in pupil transportation.

He also from the Committee on Education, reported as committed Senate Bill No. 813, entitled:

An Act amending the act of October 27, one thousand nine hundred fifty-five (Act No. 222) entitled "Pennsylvania Fair Employment Practice Act," providing that termination of employment under a bona fide retirement or pension plan shall not constitute an unfair employment practice.

He also from the Committee on Education, reported as committed House Bill No. 1473, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled. "Public School Code of 1949," clarifying the taxing power of school districts of the second third and fourth classes to pay the minimum salaries and increments of the teaching and supervisory staff.

He also from the Committee on Education, reported as committed House Bill No. 1687, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," creating the Advisory Board on Problems of Older Workers within the Department of Labor and Industry and placing additional powers and duties in the Department of Labor and Industry with respect to aging and aged persons.

SENATE RESOLUTION, SERIAL No. 78,

REPORTED FROM COMMITTEE

Mr. WAGNER, from the Committee on Education, to which was referred resolution offered by Mr. Whalley, on October 11, 1955, reported the same without amendment as follows:

URGING THE DEPARTMENT OF PUBLIC INSTRUCTION TO MAKE A STUDY AND RECOMMENDATIONS REGARDING PLANS OF ALL SCHOOL BUILDINGS BUILT WITHIN THE PAST FEW YEARS

In the Senate, October 11, 1955.

The General Assembly is currently considering legislation increasing the total amount of reimbursable costs for the construction of public school buildings from $425,000,000 to $925,000,000.

It is of prime importance to the Commonwealth that school buildings be built as economically as possible consistent with efficiency and practicability .

In many instances certain phases of school construction do not always meet with the best requirements of the school districts. School officials and architects can well profit by the experience of the past. It becomes mandatory that information be collated and disseminated with respect to school building in view of the fact that the Legislature may increase the amount of reimbursable costs by $500,000,000.

Better schools would be built and in some instances at a great saving, if the information were made available to school districts and architects. This information may be best obtained by the Department of Public Instruction through the School Plant Division; therefore be it

Resolved, That the Department of Public Instruction:

(1) Study the various plans of all school buildings built within the past few years.

(2) Send quentionnaires to all architects and school districts involved in school building construction designed to elicit information with respect to the relative efficiency and operating costs of one-story and two-story buildings construction of gymnasiums and auditoriums, together with ideas on how they could be utilized in connection with other school programs, costs and efficiency of heating systems, time loss due to the moving of pupils from one room to another, the number, dimensions and types of entrances and windows as well as the dimensions of classrooms, unforseen defects, general and specific maintenance costs and, in the light of their experiences, suggested changes in plans and specifications which would result in better school buildings.

(c) Collate the information, make a study thereof, and make it, together with recommendations, available to the General Assembly and to school districts erecting school buildings.

Laid over for one day under the Rules.

REPORT FROM COMMITTEE

Mr. STEVENSON, from the Committee on Local Government reported as amended, House Bill No. 820, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled, "Second Class County Code," further regulating the repayment of money collected upon forfeited recognizances and the satisfaction of judgment liens against real property arising therefrom.

BILLS INTRODUCED AND REFERRED

Messrs. SCHMIDT and WAGNER read in place and presented to the Chair Senate Bill No. 834, entitled:

An Act validating and confirming certain contracts heretofore entered into by municipality authorities for the construction of a school building project or projects and for relevant service contracts as a part of the construction when there is no evidence of fraud or conspiracy and authorizing or ratifying payments on such contracts or parts or contracts by the municipality authority upon approval thereof by the Department of Public Instruction and the Department of Justice.

Which was committed to the Committee on Education.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 835, entitled:

An Act amending the act of August 9, 1955 (Act No. 130), "The County Code," authorizing the appointment of solicitors by clerks of the court of quarter sessions and oyer and terminer in third, fourth and fifth class counties, and prescribing their duties.

Which was committed to the Committee on Local Government.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 836, entitled:

An Act amending the act of July 12, 1919 (P. L. 941), entitled "An act providing for the preparation, contents, style, printing and binding of the Legislative Journal and its delivery and distribution . . ." eliminating requirements for printing bills, joint resolutions and reports of conference committees in full in the Legislative Journal.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, at this time, on behalf of Senator Yosko, Senator Pechan, Senator Wagner and myself, I wish to present two sets of bills.

The General Assembly had passed previously these same bills. However, they were declared to be unstitutional in a test case before the Supreme Court. The question then was put to the people of the Commonwealth of Pennsylvania. It is relative to the changing of the retirement contracts while in force. At the election, a week or so ago, the people decided by an overwhelming vote that the Legislature could and should pass legislation to do exactly what the previous bills had done.

Therefore, Mr. President, on behalf of these Members of the Senate, I wish to introduce and read in place these bills which will re-enact the bills which were once declared to be unconstitutional.

BILLS INTRODUCED AND REFERRED

Messrs. DENT, YOSKO, PECHAN and WAGNER read in place and presented to the Chair Senate Bill No. 837, entitled:

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; . . ." by increasing the minimum amount to be paid to certain members on retirement and by increasing the amount of retirement or compensation payments to persons now retired receiving survivor annuities or State compensation under the public school employes' retirement system.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 838, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; . . ." by providing an additional State annuity on retirement for superannuation, and providing for minimum retirement allowances in certain cases and appropriations for payment of the costs thereof.

Which was committed to the Committee on State Government.

REPORTS FROM COMMITTEES

Mr. WADE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on Insurance, reported as committed House Bill No. 619, entitled:

An Act amending the act of May 11 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon . . . ," decreasing the minimum number of employes who may be covered by policies issued to any employer or to trustees of a fund established by an employer.

He also, from the Committee on Insurance reported as committed Senate Bill No. 685, entitled:

An Act amending the act of June 24 1939 (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" further regulating the powers of limited life insurance companies.

He also, from the Committee on Insurance reported as committed House Bill No. 1729, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law," providing for the incorporation and regulation of nonprofit dental service corporations furnishing dental services only to certain subscribers and their dependents.

He also, from the Committee on Insurance reported as committed House Bill No. 1730, entitled:

An Act providing for the regulation and supervision of nonprofit dental service corporations organized to provide dental services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto.

He also, from the Committee on Insurance reported as committed House Bill No. 1779, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance . . . ," by continuing the provisions of that section in effect for a further period.

He also, from the Committee on Insurance reported as committed House Bill No. 1780, entitled:

An Act making an appropriation to the Insurance Commissioner as Statutory Liquidator to enable him to liquidate dissolve insurance companies associations and exchanges which have insufficient assets for such liquidation.

Mr. PEELER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PEELOR, from the Committee on Highways, reported as committed Senate Bill No. 332, entitled:

An Act amending the act of May 1 1929 (P. L. 905) en-

titled "The Vehicle Code," authorizing the issuance of duplicate registration cards at the option of the owner and fixing the fee therefor.

He also, from the Committee on Highways reported as committed House Bill No. 342, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code," exempting and limiting the number of motor vehicles of war amputees from the payment of title registration fees.

He also, from the Committee on Highways reported as committed Senate Bill No. 602, entitled:

An Act amending the act of May 1 1929 (P. L. 1005) entitled as amended "The Tractor Code," changing the heighth and width standards for tractor cleats or grousers and guide bands.

He also, from the Committee on Highways reported as amended House Bill No. 844, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code," authorizing use of warning figures commonly known as "silent policeman" to be erected within school zones on highways and State highways by certain political subdivisions.

He also, from the Committee on Highways reported as committed House Bill No. 961, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code," by further regulating the operation of certain buses.

He also, from the Committee on Highways reported as committed House Bill No. 1461, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code," exemption the Y M C A and Y W C A from vehicle registration and title fees.

He also, from the Committee on Highways reported as committed House Bill No. 1747, entitled:

An Act to further amend clause (a) of section five hundred ten of the act of May 1 1929 (P. L. 905) entitled "Vehicle Code," by making an editorial correction and changing the time for beginning use of registration plates for certain vehicles.

He also, from the Committee on Highways reported as committed House Bill No. 1749, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," requiring the submission of a certain certificate by certain applicants requiring admission or release reports on certain persons by certain superintendents or medical directors or other competent authorities and imposing penalties.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPAN, from the Committee on Appropriations, re-reported as committed Senate Bill No. 657, entitled:

An Act amending the act of August 22, 1953 (Appropriation Acts 101) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania . . .," increasing the per capita annual maintenance rate of wards of the Commonwealth.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, I am about to introduce a resolution. However, before I do, I would like to make a statement which I think all of my colleagues on both sides of the aisle will agree with.

During Governor Earle's Administration, the Commonwealth built the Deshon Hospital, at Butler, at a cost of I think something like 2.69 million dollars. For some reason, the history of that hospital has not been too pleasant so far as the people of the Commonwealth are concerned. It so happened that after the buildings were erected, sufficint funds were not available to staff the hospital and to equip it. It lay dormant for some time and then the war occurred and the Federal Government took over Deshon Hospital as an Army Hospital. At one time, it had a population of some 2,500 patients. After the war was over, the Army abandoned Deshon Hospital and the Veterans Administration took it over and used it as a veterans hospital, with a population at one time of some 1,500 patients.

Mr. President, in 1949, in my freshman year, as chairman of a committee to study the possibilities of Deshon Hospital being reverted back to the Commonwealth, I think Senator Dent, Senator Wade and I, as a committee of three, were appointed to go to Washington and see what the possibilities were of Deshon being transfered back to Pennsylvania. At that time, back in 1949, if I remember correctly, the Veterans Administration and the Commonwealth had entered into an agreement whereby they were paying us a rental of $150,000 a year for a period of thirty years. Since that time, however, the Veterans Administration took over and paid for Deshon Hospital. It gave the Commonwealth $2,500,000.

Mr. President, Deshon Hospital, at the present time, is being used as a tuberculosis sanatorium for veterans. It has a population of some 400 patients. The veterans hospital at Aspinwall, I understand, has less than 200 patients. I very strongly feel that we should, in the Commonwealth where we have a dire need for some 8,000 beds for our mentally retarded children, see to it that this reverts back to the Commonwealth.

I do not know how many of you in this Senate have been asked by Doctor Walker to come to Polk this coming Saturday and hear his story. In my own Senatorial District of Armstrong and Butler Counties, I have sixty-one children who have been on a waiting list since 1950 to be accepted at Polk Institute. Doctor Walker said that he has some 8,000 over the Commonwealth who should be hospitalized and hospitalized quickly.

I feel, Mr. President—I say this so that the veterans groups, of which I happen to be Chairman of the American Legion Legislative Committee , may know this this also—when the Hoover Commission recommended that the Aspinwall Hospital be closed, of course, the veterans objected to it because they felt that they were being denied bed space for veterans who should be hospitalized. However, if the Veterans Administration is going to abandon either Deshon or Aspinwall, I say that we should avail ourselves of the opportunity to try first to buy Deshon, and if we cannot get Deshon, then to take over Aspinwall. As I said awhile ago, Deshon has a population of some 400 patients who are suffering from tuberculosis.

A great many of them are there not for any surgical treatment or even any remedial treatment. They are there convalscing. We also know that the new drugs are rapidly wiping out tuberculosis. We have in Pennsylvania, Mont Alto, whose population has dropped considerably. I think there is a potential that we can think about Mont Alto being taken over as a hospital for mentally retarted children. However, since Deshon Hospital was built with Pennsylvania taxpayers' money, and I would say we gave it away at $2,500,000, and if the Veterans Administration has in their mind the idea of abandoning one of those two hospitals, I feel that we should expend every effort to recover Deshon Hospital. If you were to replace the facilities that are there, it would cost the people of Pennsylvania something like $40,000,000. Even if we must pay a little more than the $2,500,000 for which we sold it, we would still be saving the taxpayers a tremendous amount of money.

Mr. President, my solution to the problem is this. Since Aspinwall has less than 200 patients and Deshon has less than 500 patients, where they can take care of as many as 2,500 adults, then they can certainly take care of 3,500 mentally retarded children for which we have an immediate need. For that reason, Mr. President, on behalf of myself, Senator Kopriver, Senator Mallery, Senator Barr and Senator Lane, I am offering this resolution.

SENATE RESOLUTION

RECOMMENDING NEGOTIATION WITH THE VETERANS' COMMISSION FOR THE PURCHASE BY THE COMMONWEALTH OF DESHON HOSPITAL, AT BUTLER, OR THE VETERANS HOSPITAL, AT ASPINWALL

Messrs. PECHAN, KOPRIVER, JR., MALLERY, BARR and LANE offered the following resolution, which was twice read as follows:

In the Senate, November 15, 1955.

Eight thousand unfortunate children requiring institutional care cannot be accommodated in the present facilities of the Commonwealth. It is imperative that immediate provision be made for them.

At present Deshon Hospital at Butler and the Veterans' Hospital at Aspinwall, both in Western Pennsylvania, are operated as veterans hosiptals. Neither of them are occupied by a number of patients even closely approximating its rated capacity. The 475 patients at Deshon could, without hardship to them or adversely affecting the right of our handicapped veterans to adequate institutional care, be transferred to Aspinwall where some 500 beds are empty.

Discontinuing the use of one of these institutions as a veterans hospital is recommended by the Hoover Commission.

Deshon Hospital was designed, built and paid for by the Commonwealth. It is well suited for an institution for mentally retarded children, and will accommodate a greater number than Aspinwall; therefore be it

Resolved, That the Senate recommend negotiation with the Veterans' Administration for the purchase by the Commonwealth of Deshon Hospital, at Butler, or the Veterans Hospital, at Aspinwall, and the purchase thereof if satisfactory arrangements can be made; and that in the event of a purchase of the hospital it be immediately converted into an institution for mentally retarded children under the jurisdiction of the Department of Welfare.

RULE 39 SUSPENDED

Mr. PECHAN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

RESOLUTION ADOPTED

Mr. PECHAN. Mr. President, I move the immediate adoption of the resolution just read.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the resolution?

Mr. LANE. Mr. President, we on the Democratic side are wholeheartedly in support of this resolution and, too, we are gratified that a Republican spokesman will take the floor and actually vindicate the Earle Administration and that so-called waste which they were supposed to have practiced during the 1937 Session.

I would like to give the membership of the Senate a little background on Deshon. If I recall correctly, when Governor James took office he refused to spend $200,000 in order to equip Deshon because he felt that the prior Democratic Administration was extravagant in building this hospital for the unfortunate people who suffered from tuberculosis. Also, Mr. President, I would like to say that over on the other side they have commenced to realize that actually the Democrats have had the foresight, because I just heard the spokesman say if we were to secure those facilities from any other means, it would cost the State of Pennsylvania approximately $44,000,000.

It seems, Mr. President, that Mr. Pechan has had a change of heart and so have the other Republicans on the other side. After talking with members of this side, I might say that in Senator Barr's District there are approximately 513 retarded children. In my county of Washington we have knowledge of about 188 retarded children. Senator Holland and myself had talked with Mr. Shapiro several times with regard to this problem. As a matter of fact, we even had it in mind several times that possibly we could convert Morganza into an institution for our retarded children.

What gratifies me is this. The Majority Party in Pennsylvania recognizes the fact that the Democratic Party has shown foresight throughout the years, and it is, indeed, a vindication for our Democratic Administration. When we do take over Deshon or Aspinwall, I wonder if the Republicans on the other side are going to let us have the money to properly equip this institution. I think that is going to be the problem confronting us within the next few days. Since they are so humanitarian right now, I would like to see them follow through and provide us with the necessary funds to take care of these poor unfortunate children.

Mr. PECHAN. Mr. President, when I offered that resolution it was not politically-minded. Now my very good friend from Washington County is, I would not want to say distorting, but I had him read the resolution before I presented it. He said that he would like to have his name on it, and I said, "Well, Bill, certainly." I mean that this is not a political football. I am interested in the retarded children.

I want to say to you, Mr. President, that when I am convinced, and I am going to find out this Saturday first-hand, that we have a shortage of 8,000 beds, we will see that they are provided. I cannot speak for the other members on my side, but I feel that they have exactly the same kind of a heart that Al Pechan does, and are not politically minded on this matter. If we have a need for those beds, we are going to provide the funds to maintain and administer those hospitals.

Now maybe Senator Lane's philosophy on raising that money may be a little bit different, but just because we need that money does not mean that Al Pechan has to vote for Bill Lane's particular tax program.

Mr. President, I have said repeatedly on this floor that I will vote for any tax measure which I feel is fair and constitutional, and which the majority of my people in my District want. We are not going to go into the tax program, but I want to say that I feel we have an urgency for this particular hospital. We can save the people of Pennsylvania millions of dollars if we go to work and find out what the Veterans Administration anticipates so far as Aspinwall is concerned and so far as Deshon is concerned.

Mr. President, I do not believe in going out and spending $44,000,000 for new buildings if we can get them for $2,500,000, $3,000,000 or even $10,000,000. I am also interested in economy, and if we can save millions of dollars by taking over either one of these institutions, then that is what I am for. I do not think that this should be brought up as a political issue, as I said awhile ago when Senator Barr and Senator Lane said they would like to sign that resolution and I unhesitatingly said, "Certainly, I am only too happy to do it." I am doing this out of the kindness of my heart for a need that I am sure we have in Pennsylvania.

Now, Mr. President, going back to the Earle Administration and whether to vindicate him, back in 1935 I just barely recollect when Governor Earle was Governor. I was not in politics at that time. Soon after that when Governor James came in, this institution was built and I do not know whether it was built for tubercular patients or not. I do not know what it was built for under the Earle Administration. However, I do know that Governor James, when he came in, felt that we did not need the hospital, and it was silly to go ahead and equip it and have it lay dormant. Shortly after that, I went to war and came back and found out that Deshon Hospital belonged to the Army.

Mr. President, let us not make a political football out of this resolution. Let us try and take care of these retarded children.

Mr. LANE. Mr. President, I would like for the gentleman on the other side to know that I was speaking fact. There was no political innuendo. We, too, are interested in our retarded children. I happened to serve on the board of directors in our county for quite a number of years to try to help out their plight.

I just wanted to point out the so-called mistakes which the Democrats are supposed to have made. I recall, too, that under Governor Martin's Administration we in the House fought this with everything we could. However, we were in the minority and the negotiations were processed and the sale went through. We felt that this was the wrong thing to do.

I want to assure Senator Pechan and the Members on the other side that we, too, do not want to make this a political football, but we cannot help but say that, after all, the truth is the truth and the Republican Majority has held up our tax program for months. I hope that you Republicans read the election returns of last Tuesday and have a change of heart.

Mr. PECHAN. Mr. President, I would like to make as a matter of record in the Legislative Journal a story which appeared in the Pittsburgh Sun Telegraph relative the Deshon Hospital this past Sunday, November 13.

The PRESIDENT. The newspaper article requested by the gentleman from Armstrong, Senator Pechan, will be spread upon the Legislative Journal.

STATE URGED TO BUY DESHON FOR RETARDED

Sen. Pechan Sees Solution In Butler Purchase From U. S.

By Pat McCormack

State Sen. Albert R. Pechan today proposed that Pennsylvania regain possession of state-built Deshon Hospital, Butler, for mentally retarded children—about 8,000 of whom have "no place to go."

Pechan said his plan will save the state at least $30,000,000 compared with Welfare Secretary Harry Shapiro's demand for $40,000,000 to build 3,500 beds for handicapped children.

In Washington, officials of the Veterans Administration admit a re-transfer of the facility owned by Pennsylvania until 1951 is possible.

They indicated a willingness to negotiate but have no been approached officially.

Pechan, chairman of the Senates health and welfare committee, will outline the proposition to the Senate tomorrow in Harrisburg.

Heads Vet Group

Pechan, as chairman of the Pennsylvania American Legion legislative committee, does not want veterans "short-changed" in the transfer.

The 475 patients at Deshon, Pechan said, should be transferred to Aspinwall VA hospital—where some 500 beds are empty.

Last spring the Hoover Commission suggested that Aspinwall be closed because it has "such a low bed utilization." The experts recommended that the state use the facility to help relieve hospital shortages.

Pechan's proposal comes on the heels of one a week ago by Welfare Secretary Shapiro to bargain for Aspinwall.

Gives His Reasons

The senator favors bargaining for Deshon instead because:

Deshon, built by the state in 1936, has been a white elephant for Pennsylvania taxpayers. It stood idle until the state leased it to the Army in 1942.

Deshon, with some renovatoin, could be turned into a home for 3,000 mentally retarded children. Aspinwall, on the other hand, could not handle half that many.

The "white elephant" in Butler cost the taxpayers more than $2,600,000 in 1936.

Gov. Earle built it, supposedly for a tuberculosis hospital. Gov. James would not let it open. His action was jeered as false economy.

The state leased the hospital to the Army for $160,000 a year. The lease was to run for 30 years.

The Army pulled out in 1946 and there was talk again that the state would finally operate the hospital, as it had promised to do since 1936.

Then veterans groups pressured the Veterans Administration to take over Deshon. The VA at first wanted no part of the hospital but was induced to turn it into a neuro-psychiatric hospital.

Between July, 1946 and October, 1951, the VA and Pennsylvania dickered about the price. A court decision finally ruled that the VA offer of $2,512,297 was "just compensation."

Argued on Price

The check was accepted grudgingly by Pennsylvania. In July, 1953, Gov. Fine signed a bill turning over Deshon to the VA.

Pechan, then a freshman senator from Ford City, was chairman of a Senate committee investigating the price. He and Sen. John H. Dent called the settlement "ridiculously low," they asked $6,000,000.

In recent years Deshon was doing a rush business caring for tuberculosis victims. But miracle medicines eventually cut the waiting list to nothing and started emptying the hospital.

Pechan feels the transfer of patients to Aspinwall could be effected without cutting VA service to veterans.

Points to Problem

He said:

"We must remember there is a tremendous shortage of beds for 8,000 unfortunate children. We have to take care of them as quickly as possible and as economically as possible."

With Deshon made over to handle 3,000 children, Pechan thinks the state tuberculosis hospital at Mt. Alto, near Waynesboro, could take care of the rest.

The same miracle medicines that are emptying Deshon are giving the state a surplus of thousands of beds in tuberculosis hospitals. Mt. Alto is the one reported about to close.

Favors Bargaining

Shapiro is calling for $40,000,000 to build new institutions for 3,500 of the 8,000 children.

Pechan thinks it unwise to build so many new hospitals when other facilities can be acquired by bargaining.

Pechan figures:

"We sold Deshon to the VA for around $2,500,000. Even if it costs us $4,000,000 to get it back we'll be savings upwards of $30,000,000.00

Many children on the waiting list reside in Allegheny County where, it is reported, there are 20,000 retarded children.

Friends of the Mentally Retarded will launch a week-long drive tomorrow for funs to help provide services for the youngsters. A door-to-door campaign will take place Sunday.

And the question recurring,

Will the Senate agree to the resolution?

(A voice vote having been taken, the question was determined in the affirmative.)

CONDOLENCE OF THE SENATE EXTENDED TO THE FAMILY OF THE LATE JOHN TONIE

Messrs. FLEMING, PEELOR, DIEHM, BLASS, HARNEY, KOPRIVER, JR., MADIGAN, PROPERT, WATKINS, BERGER, TAYLOR, WAGNER, WATSON, WHALLEY, SCOTT and WADE offered the following resolution which was twice read, considered and agreed to:

In the Senate, November 15, 1955.

On October 26th the Senate lost a faithful and efficient employe through the death of John Tonie, whose affable demeanor and readiness to be of service in anything within his power has been a joy to every Member of the Senate; therefore be it

Resolved, That the Senate note its sorrow over the passing of a well liked and admired employe, and express its sympathy for his bereaved mother, Mrs. Mary Tonie, by directing the Secretary of the Senate to transmit a copy of this resolution to Mrs. Tonie, at her residence, 317 Cherry Street, Harrisburg, Pennsylvania.

RECESS

Mr. PECHAN. Mr. President, I move that the Senate do now take a recess for fifteen minutes, for the purpose of holding a meet of the Committee on Local Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. LANE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE, from the Committee on Local Government, reported as committed Senate Bill No. 789, entitled:

An Act to amend the act approved the ninth day of August one thousand nine hundred fifty-five (P. L. ——) (Act No. 130) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" by authorizing collection of data concerning deceased veterans of armed conflicts and authorizing the erection of monuments to veterans of armed conflicts.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 790, entitled:

An Act to amend the act approved the twenty-eighth day of July one thousand nine hundred fifty-three (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto," by authorizing collection of data concerning deceased veterans of armed conflicts and authorizing the erection of monuments to veterans of armed conflicts.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 797, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "An act concerning townships of the first class; . . ." requiring entrance of bond in appeals from board of adjustment rulings affecting zoning regulations.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 830, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," requiring notice of changes in property valuations be given to political subdivisions in which the properties are located.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 831, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; . . ." requiring notice of changes in property valuations be given to political subdivisions in which the properties are located.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 832, entitled:

An Act amending the act of May 22, 1933 (P. L. 853), entitled "The General County Assessment Law," requiring notice of changes in property valuations be given to political subdivisions in which the properties are located.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 833, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing townships to improve public streets or roads without petition and collect the costs thereof from owners of abutting properties.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 457, Printer's No. 248, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 794, Printer's No. 1001, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1572, entitled:

An Act relating to coal mining, well operations and the underground storage of gas and the safety of personnel and facilities employed therein; prescribing the rights and duties of well operators, before, during, and after the drilling of wells for the production, extraction or storage of any gas, petroleum or other liquid; regulating the underground storage of gas under workable coal seams; prescribing the rights and duties of owners and operators of coal mines in relation to wells and underground storage areas; granting certain corporations a limited right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas; creating the Oil and Gas Division of the Department of Mines and defining its personel powers and duties; providing for hearings and the procedures to be followed therein and imposing duties upon the courts and providing methods for the enforcement of the provisions of this act and imposing penalties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SCOTT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, line 2 of Title, by inserting after "gas": "except in storage reservoirs excavated in rock formations specifically for storage purposes"; amend Bill, page 6, by inserting between lines 6 and 7: "Section 103. Exclusions from Effect of Act.—Nothing contained in this act shall apply to storage of gas or liquids in storage reservoirs excavated in rock formations specifically for storage purposes."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. SCOTT. Mr. President, I ask unanimous consent that House Bill No. 1572, Printers No. 1044, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

DELEGATES OF THE PENNSYLVANIA COUNCIL OF REPUBLICAN WOMEN PRESENTED TO SENATE

Mr. PECHAN. Mr. President, throughout the halls of the Senate I see so many gorgeous looking ladies. Perhaps, all of them are Delegates of the Pennsylvania Council of Republican Women. At this time, Mr. President, I would like for all these ladies to rise and take a bow.

The PRESIDENT. The Chair, on behalf of the Members of the Senate, extends a welcome to the distinguished guests.

CALENDAR

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 73, Printer's No. 1046; and

Senate Bill No. 584, Printer's No. 301.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 729, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Section 1 (Section 4), page 2, line 7, by striking out after the word "shall" and before the word "not" the following: "be in session for not more than sixty days and shall"; amend Section 1 (Section 4), page 2, line 8, by striking out after the word "revenue" and before the word "laws" the following: "and"; amend Section 1 (Section 4), page 2, by striking out lines 9 to 11, inclusive, and inserting in lieu thereof the following: "and laws pertaining to subjects designated by proclamation of the Governor prior to the first Tuesday of January."

On the question,

Will the Senate agree to the amendments?

MOTION TO ADOPT AMENDMENTS

Mr. LANE. Mr. President, I move that the amendments be adopted.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, I do not have a copy of the bill right before me, but in reading these amendments, and also recalling my conversation with Senator Lane yesterday, I understand if we adopt these amendments the bill will be put back in the same place as it was when we passed it in the preceding Session. It also would contain the same wording as the bill which has been presented in the House by Mr. Wood and another co-sponsor. It has passed the House and is now before a Senate Committee.

There was some objection to the wording of the bill as we passed it in the preceding Session, in 1953, due to the fact that there were many who felt that annual sessions would probably have a better chance of being voted for by the people of Pennsylvania if we did not have a provision in the bill that the Governor might, in his call, include any other matters in addition to the fiscal matters, in the Sessions called in the even numbered years. These people were anxious to see that we had annual sessions and they were in favor of them. However, they did not want to imperil the chance of having annual sessions by having this other feature added on. They felt that the sessions in the even numbered years should be devoted entirely to the business of fiscal affairs. There also should be a limitation on the time that the Legislature should be in Session in these even numbered years. That limitation should be sixty days.

Therefore, Mr. President, we have two philosophies; one, as contained in this bill, sponsored by Senator Kessler, and the other as contained in the bill sponsored by Mr. Norman Wood and some other Member of the House of Representatives whose name I have forgotten at the present time.

It would not make any difference whether we passed this bill or the other bill as far as the time when we could have the first annual, even numbered year session. The first chance to have such a session as that would be in 1958. I do not believe there would be any desire to have a Session in 1956. It is quite likely that this session may go over into 1956. We could not vote on it before that time anyway. Therefore, if we pass this bill, without the amendments, it would have to be passed, it is true, by another Session of the Legislature which would be in 1957. Then, in 1957, the people at the November election could vote on it, and if they voted in favor of this constitutional amendment, to allow annual sessions, then our first annual session would be in 1958.

For that reason, Mr. President, and because I think the annual session question would have a better chance of passing if we had some limitation on the time and also a limitation on the subjects which could be legislated on in those annual sessions, I oppose the amendments as offered by my good friend, Senator Lane.

Mr. LANE. Mr. President, it is true that what I have done is taken and amended Senate Bill No. 729 to comply with the wording in House Bill No. 55, which passed the 1953 Session of the Legislature.

In listening to the Majority Leader's arguments, I might say first that a sixty day limitation upon the length of a Session is certainly ridiculous and silly. If we are going to talk about taxes, which the Session would primarily be called for, there may be a stalemate; there may be a sit-down strike for sixty days and then the Session would have to be adjourned. Secondly, the Chief Executive of the Commonwealth of Pennsylvania has a mandate by the electorate of the people of Pennsylvania to operate this government as the Chief Executive. There may be problems which might confront the Chief Executive in the proper operation of government whereby he might find it necessary to include in this regular Session some other subject than taxes and appropriations. After all, I believe all of us will agree that government in Pennsylvania has become a huge operation.

I wonder, too, if some of the Members on the other side realize that second class townships operate on an annual budget basis. This applies also to boroughs, first class townships, counties, third class cities. However, the Commonwealth of Pennsylvania operates on a biennial basis. Since we have such a large operation it seems to me that the postponement of the vote on annual sessions is, in itself, shortsighted.

As the Majority Leader has stated, if we pass Senate Bill No. 729 in its original form, it is going to have to be passed again by another Session of the Legislature and then go to the people for a vote. Of course, then the first regular session will be around 1958. I wonder why we question the judgment of the Legislature in 1953. This legislation was sponsored by Representative Wood, who is an old hand on the other side in the House of Representatives. I think, as a matter of fact, Representative Wood has served in the House of Representatives since, as Senator Ruth states, 1923. Mr. Readinger has served there, I think, since 1930 or 1932. Surely, these men know what they are doing. Why is it that a Republican Majority now objects to something which has already passed one Session of the Legislature? It seems to me, if I should call the shots as I see them, that I believe they want to kill off annual sessions.

Mr. YOSKO. Mr. President, the annual sessions proposal was a part of both the Democratic and Republican platforms. At the 1953 Session, the Legislature was under the control of the Republicans. The bill was drafted by the Republicans in 1953 and it was passed in 1953. The

complexion of the Legislature is practically the same, with but few exceptions, on the other side, so if there is a difference of thinking on the provisions of the amendment, I would like to know where the difference emanates from. The difference in the proposal introduced in the Senate this year, in my opinion, is nothing more than a subterfuge to delay and defeat annual sessions in Pennsylvania and is in violation of the platform pledge of the Republican Party if it votes against the amendments submitted by Senator Lane.

Here in Pennsylvania we are serving over 11,000,000 people. Session after Session we are having trouble with fiscal problems. We are having trouble with fiscal problems because we meet on biennial basis. Everyone who has an interest in good government, people outside the Legislature, are favorable to annual sessions. I have not read one editorial in any newspaper that opposed the annual session idea. As a matter of fact, even the children in high school seem to be for it. I offered a scholarshrip to the Elks Lodge in Bethlehem to the best essayist and the subject was, "Should the Legislature amend the Constitution of Pennsylvania to provide for annual instead of biennial sessions?" From all of the essays which were submitted, the contestants who engaged in that contest all favored annual sessions.

Mr. President, to say that we will get it at some time in the future is, frankly, silly because if you pass this new proposed amendment which was submitted at this Session, in lieu of the one which was passed at the last Session, there is nothing wrong with somebody coming around at the next Session and amending it when it comes up for the second time and in that way, delay, delay. Therefore, I repeat, this is nothing but a subterfuge to defeat the theory of annual sessions in Pennsylvania.

Mr. KESSLER. Mr. President, I do not believe that there is any question about the desirability of annual sessions. It is simply a matter of the restriction of those annual sessions to fiscal matters. The experience of other States that have adopted the annual sessions idea is that the odd years, or the even years in our case, might be set aside for the discussion of financial matters only.

Because there were no restrictions in those constitutional requirements, the Governor of the State was able to call a Special Session of the General Assembly either immediately preceding or immediately following the Session which was devoted to fiscal matters. That threw the community again in a turmoil because all sorts of legislation could be brought up for discussion.

Now the objection to the bill which passed in 1953, which is again in the Senate Committee and which has not been acted on, is that this bill permits the Governor by proclamation to bring up for discussion, at what is supposed to be a fiscal Session of the General Assembly, any and all matters which he might want to include in that proclamation. That leaves the door wide open, and we would find, I am sure, that in the even years we would have a Session of the General Assembly that would be just as complete and thoroughgoing perhaps as we would have in the odd year Sessions.

Mr. President, the purpose of the proposed constitutional amendment which I introduced is to restrict the even year sessions to fiscal matters only, and it prohibits the Governor from calling a special session of the General Assembly either thirty days prior or thirty days following the fiscal session. Now the purpose of that is that the Governor should not call a special session of the General Assembly unless there is something very unusual or something drastic which has to be taken care of. That is the only purpose of Senate Bill No. 729. There is no intent here to delay the arrival of annual sessions in the Commonwealth of Pennsylvania.

In fact, if we were to pass this bill it would go before the general electorate in 1957, assuming, of course, that the 1957 General Assembly acted favorably on it and the first annual session could be had in 1958.

Mr. President, the bill which the Senator from Northampton is discussing could not become effective either before 1958, while certainly it would be on the ballot in the fall of 1956 were we to pass it this Session. However, the first annual session would be 1958. Therefore, in either case, you arrive at your first annual session in 1958.

Mr. President, I believe that the bill which I have sponsored does provide some safeguards which I believe the people in the Commonwealth are entitled to.

Mr. DENT. Mr. President, in 1953 when this legislation was up for a vote, if you go back through you will find that there was quite a bit of discussion on the question of restricting the annual session to fiscal questions only. Those who proposed that at that time were in the minority. As I remember it, the gentleman who has suddenly put in a bill which does exactly that was a member of the Senate and voted for the original bill, which passed in 1953 and is now incorporated in House Bill No. 55, introduced by Messrs. Readinger and Wood.

Mr. President and Members of this Senate, the action today is to me an open book. If we now amend the bill, it means that the act which was passed in 1953 will be null and void. Senate Bill No. 729 will not be before the General Asembly until 1957. In 1957, if you do not have an act of the Legislature which establishes annual sessions, you will have to budget for two years. You will have to go into a full dress session of the Legislature the same as we are having today. You will not be able to budget on a one year basis and to say that this does not cause a delay is not quite true, because if the bill which is now in committee, House Bill No. 55, passes, the people will be permitted to vote next year. If they vote in favor of it, the incoming General Assembly in January of 1957 will be able to justify their work on a yearly basis.

This is a restrictive bill, Mr. President. House Bill No. 55 has all of the safeguards in it that the people would require, because it carries with it the provisions that are now contained in the call for a special session.

The restriction in this act is shown in House Bill No. 55, Printers No. 27, on line 8, page 2: "The General Assembly shall not enact any laws except laws raising revenue laws making appropriations and laws pertaining to subjects designated by proclamation of the Governor prior to the first Tuesday of January."

Mr. President, for all intents and purposes, the language of House Bill No. 55 does exactly what the gentleman from Lancaster says he wants done, but it does a little more. If there are any vexing problems facing the Commonwealth at that time, the people can be saved the expense of a special session of the legislature, because the Governor can include in the call for the annual session a proclamation which will allow the General

Assembly to take up any problems that may be facing it at that moment. Being in the second year of a biennium, any problems that may arise during that biennium would probably be acute right at that moment and so, Mr. President, believe that this is nothing but a delay.

What will happen? I would like to make a little prediction. If we pass this new Senate Bill No. 729, the very men who unanimously voted for the act in 1953 without disagreement as to its features, who are now voting for Senate Bill No. 729 without disagreement as to the features of the bill, will, if they are in control in 1957, come in and re-amend the bill again, and again the people will be faced with another delay of four years.

Now, Mr. President, I say that the House will have an opportunity to amend this bill. So, in order to not have any further delay, I will suggest to the Republican Senate, that I will recommend to the House of Representatives that they put into the Kessler Bill all of the features contained in the Readinger-Wood bill.

Mr. SEYLER. Mr. President, I do not know whether the gentleman who is proposing this bill has thought of all of the possible results of his amendments. I wonder if he realizes that if this bill were to be enacted and approved by the people of the Commonwealth, the ability of this Commonwealth to deal with an important and critical problem would be gone. The Governor has always had the power, in case of crisis, to call a meeting of the General Assembly. As I see it, if this bill were enacted, there would be four months in every other year when the Governor and the Legislature would be powerless to take steps to relive a State-wide calamity.

I wonder if the Senator who proposes this bill would like to guarantee to this Senate, and to the people of the Commonwealth, that no State-wide calamity such as one of the hurricanes, which recently devastated areas in our Commonwealth, will not happen. I wonder if he would like to promise us that during those four months in a year no inimical power will ever drop an atomic bomb on one of the cities of Pennsylvania. In an event like that, Mr. President, it seems to me the General Assembly needs to be able to act at the call of the Governor to take care of a critical and pressing problem. However, this would tie the hands for four months out of every other year. We would just have to pray that no elemental or natural calamity would come; we would have to pray that no question involving national defense would arise because this would tie our hands and make us impotent.

I think in view of those facts, Mr. President, the people who have recently suffered calamity and devastation, which this Legislature was able to do something about due to the fact that we were in Session and, which in the case of an off year, the Governor would undoubtedly call us in Session to take care of it, I wonder if the Senator realizes that this bill would tie the hands of the State Government so that they could not take effective action to relieves the suffering of such people in such a calamity.

Mr. YOSKO. Mr. President, if the gentlemen on the other side were sincere about annual sessions, it would have been voted on this year. The bill passed in the 1953 Session by an almost unanimous vote. At this Session, a similar bill was introduced on February 28. It was passed finally by the House on May 4 by a vote of 146 to 14. The Primary Election was held on May 18. If the Senate would have acted with dispatch, the House Bill which came over here on May 4th, could have been passed in time and could have probably been placed on the primary ballot.. If time did not permit for it to be placed on the primary ballot, it surely could have been placed on the general election ballot.

The Republicans stalled around and stalled around until after the General Election was over. Now, they report the bill out. However, this is a new bill and not the one which passed the House. Taking all of the factors into consideration, I repeat that this is nothing but a subterfuge to defeat annual sessions or delay them for purposes of their own.

Mr. LANE. Mr. President, I do not suppose I could say anything here today which would change the minds of anyone on the other sdie of the aisle. However, in winding up this debate, I would like to make just a few observations.

First, if the Majority Party rejects these amendments, I, for one am convinced that they are opposed to annual sessions.

Secondly, Mr. President, I believe the Republicans in the Senate are endeavoring to strip the Chief Executive of the power and authority which is mandated to him by the electorate of Pennsylvania. I might add, too, that in my opinion the Republican Party in Pennsylvania has made a terrible record at this Session of the Legislature. Perhaps, for that reason, they do not want annual sessions. Maybe they do not want a double dose.

And the question recurring,

Will the Senate agree to the motion?

Mr. LANE. I ask for a roll call, Mr. President.

Mr. DENT. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. LANE and Mr. DENT, and were as follows, viz:

YEAS—10

Barr,	Hays,	McGinnis,	Ruth,
Dent,	Lane,	Miller,	Seyler,
Derk,			Yosko,

NAYS—22

Berger,	Kessler,	Peelor,	Van Sant,
Blass,	Kopriver, Jr.	Propert,	Wade,
Chapman,	Madigan,	Scott,	Watkins,
Diehm,	Mahany,	Stevenson,	Watson,
Flack,	Mallery,	Taylor,	Whalley,
Harney,	Pechan,		

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, for a long time I have enjoyed the friendly combat which takes place on occasion between the Republican Floor Leader and myself. At no time have we, to my knowledge, resorted to personal name calling no matter what we may have thought of each other.

Mr. President, I was very much surprised to find on my desk a release which is credited to Senator Rowland B. Mahany, my worthy opponent on the other side. I would like to read it because I think the Members of the Senate should know just what Senator Mahany thinks about when he is not thinking about tax problems or, at least, what somebody says he thinks about.

"I have said repeatedly throughout this Democratic-inspired tax squabble that the Republicans in the Senate are willing to sit down with our Democratic counterparts to discuss their tax program whenever it is ready for introduction in the House as required by the Constitution.

"By his own statement today, Senator Dent, himself, indicates that he does not know which bills he is proposing have the Administration backing. When the Democrats make up their own minds and receive the official endorsement of the Administration, I will personally take their tax program before the Senate Republican Caucus to see what, if any, support is available.

"Senator Dent's statement that the Republican leadership has 'run out' on a previous commitment to discuss their tax program yesterday is not only a deliberate falsehood, but a deliberate attempt to continue playing politics with the peoples' pocketbooks."

At that point, Mr. President, I might say that that is very reminiscent of our old friend, Franklin Roosevelt, when he used to say, "Martin, Barton and Fish." Here we have, "Politics, Peoples and Pocketbooks."

Again, quoting Senator Mahany's statement, I read as follows:

"Although the Senator did mention the possibility of our concurring yesterday at a time when many of our Senators were otherwise engaged, no formal request or agreement for usch a meeting ever was made.

"There could, therefore, have been no 'run out' such as the Democratic Minority Leader charges—and no one knows this better than himself."

Mr. President, I wondered what had happened to my very amiable friend on the other side when he would allow himself to be put into the position of calling me a liar. I do not think that he meant to do that. I will say that I, probably like most politicians, have at times elaborated on the issue, but no more often nor louder than the Senator from the other side. I do not mind name calling because I have been called names by experts. However, I wondered what had happened, and I found the answer in this morning's newspaper. I see where Jim Duff has saddled the Republican Caucus with his personal press agent and in order to start earning his keep, he starts writing for my good friend, Rowland Mahany. I do not mind what he writes, but if he is not any more factual—and he is not—than he was in the statements and has been in the statements he has prepared for the big bluffer from Washington, I do not think he will do your cause much good.

The technique of this newspaperman whom you have employed is the technique that he used to destroy Governor Fine with. It seems that there was some kind of a personal misunderstanding between Fine and Duff. I have often wondered about how Republicans operate.

Governor James was succeeded by Governor Martin and thirty days after Martin took office, he quit talking to James. Martin was succeeded by Governor Duff and within two weeks, Duff quit talking to Martin. Then Duff was succeeded by Governor Fine and before poor Fine could even get sworn in, Duff quit talking to him. Of course, the technique they used to destroy poor, old Governor Fine was that they held a long Session after the Duff forces had talked him into an income tax proposal in 1951. When Governor Fine wanted to pass a sales tax, he was then told by the Duff spokesman, Senator Walker, that he could not get it through the Senate, but that he could get an income tax through. Of course, you all know the story of that historical or hysterical Session. What happened was that Duff thought when he went to Washington, inasmuch as he had handpicked Fine, that Fine should be decent enough to let him run the State. You will remember that we had quite an argument on whether or not the dead hand from the grave could control. We had to invoke the Constitution in order that Governor Duff's appointment as Attorney General would not remain in office without re-appointment, if you will all remember the fight. I lost a very good friend over that fight. It is too bad when you have to fight for the Constitution and lose personal friends. However, sometimes you must do that because I have found in my few years of political endeavor that the Constitution is a greater document than even personal friendship, and it has a greater right to endure than even personal friendship.

Anyway, this man, McCormick, was brought in from New York State, where he was currently out of work, by this man Duff and he was put to work to cut Governor Fine down. He did not realize that when he was doing that, he was destroying the Republican Party. We are grateful to him for it. We have always said that Duff was as good a campaigner as the Democrats ever had. I am glad to see him bring this man, McCormick, back in because if this is an example of what he is going to do and the tactics he is going to use, calling us perfectly honest men over here liars and things, then I think he will end up being the greatest benefit the Democratic Party can get out of this Session of the Legislature.

In so far as the meeting yesterday, Mr. President, if Senator Mahany did not understand our conversation and when he called me later at my office, if what he said to me was not what I thought it was, then there was no meeting arranged yesterday. For that I am sorry for I understood there was. However, he did not have to go to anybody and have him write a letter like this. If he wanted me to say that there was no meeting planned, I would have been satisfied to say that.

Mr. President, it takes two to make an argument and I do not particularly want to argue over personalities with the jovial gentleman from Crawford. We have had a lot of nice arguments and discussions together. If Duff is going to saddle you boys with the cost of this personal press agent of his, I think you should get some work out of him. I think you should make him do a little work. If you are going to have him cut the Membership over here down with his little bit of foolishness, it is perfectly all right. We are tickled to death with it because we have a pretty good cutter ourselves on our pay roll. He can probably dish it out as well as take it. I do not think that I am going to hold anything against the gentleman.

Another thing, if he thinks I am a liar, that is his right to think so. If he thinks I do not tell the truth,

that is all right with me, too. However, I will never say anyhing but nice things about him. I think Senator Mahany is one of the nicest fellows I have ever served with and I hope that he will be the Republican Leader so long as he wants to be. I will assure him that no one on this side will ever do any undercutting and I will refuse, under any conditions, to say that he is a liar or to say that he is inept, or say any of the things that some of his own colleagues have intimated to me. I would never say that publicly or otherwise. I think that the gentleman, as I have said, is a gentleman, and I am very much surprised that he allowed this fellow to write it. He may deny that McCormick wrote it and if he does, then I will have to assume that he wrote it. Under those conditions, I may take a dimmer view of it.

STUDENTS OF SPRINGFIELD HIGH SCHOOL, DELAWARE COUNTY, PRESENTED TO SENATE

Mr. WATKINS. Mr. President, I would like to change the atmosphere for just a few moments. I have the great pleasure of introducing to you, Mr. President and Members of the Senate, the eleventh grade high school class from Springfield, Delaware County. Mr. Albert Jones, Chairman of Social Studies, and five other chaperones are in charge of the class.

I would like to say to all of the students from Springfield that it is certainly a real pleasure for me to have the opportunity to introduce them. I am very proud of the Springfield schools and everyone who lives in Springfield. It is a real nice Republican County.

The PRESIDENT. We are very glad to have the students from the Springfield School in the Senator's great county with us, and we are sure that if they listen here long enough some of their views will change. We welcome you here.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I listened to the remarks of my good friend, Senator Dent, with mixed emotions. I did not quite know when he got through whether I should be insulted or complimented. He was throwing—

The PRESIDENT. Will the Senator yield for just a moment until the students retire?

The Senator from Crawford will proceed.

Mr. MAHANY. Mr. President, I was saying that the Senator was throwing verbal brickbats and also some bouquets along with them. Therefore, when he got through I did not know whether he meant to insult me or compliment me.

I do want to say this to the Senator, Mr. President, that anybody in leadership is bound to be criticized by not only the people on the other side but sometimes his own colleagues. When he said there had been certain of my colleagues who had intimated to him that I had some shortcomings, I think that is only natural because some of the people over there on his side at times have attacked him in like manner. I remember about four years ago that he had quite a to-do over there on his side with some of his colleagues who were calling him more appropriate names than what I have ever been able to think up for him. He probably recalls some of those names which he was called at that time by some of the people who are sitting quite close to him now. I want to say to him that at that time I sympathized with him, and I did not enter into the parade to heap any more abuse on him than was already heaped there on his head by members of his own party.

Mr. President, as far as that release is concerned perhaps it might be the voice of Jacob and the hand of Esau that I had referred to when Senator Barr read a statement which had obviously been written for him by someone else. Perhaps this is a little bit along that line. However, I do want to say that the fellow who put it into the words of the press release I think is quite capable, and I do not think that he misrepresented what I had told him about the conversation which I had relative to Senator Dent. There is no name calling in that release.

I want to say this to my colleagues, and I did tell them before the press release was given, that yesterday morning Senator Dent in a telephone conversation, among other things, said that he had some kind of a new tax program which he would like to have an opportunity of discussing with two or three of our Republican leaders and he named a couple, as I remember it. I said to him that I thought perhaps some time during the day we might be able to get together. That is the only recollection that I have relative to any agreement or disagreement about a meeting. I did not understand at that time that we had any agreement that we were going to have a definite meeting, and I did not know that it made any difference whether it was yesterday, today or tomorrow that we might have the meeting. Senator Dent advised me what the program was, and, as I remember, it he told me that it was kind of top secret at the time, but when I got out I found that I was not the only one who knew about it. It seems the press had even put the papers out on the street, which pretty much covered the program as it was announced to me. Also, many of my colleagues knew about it. Therefore, instead of taking it up with two or three leaders, I told the members of the Caucus what I understood the program to be.

Mr. President, as you know, we went into session shortly after the Caucus which lasted quite late, and then we went out for dinner and there was no opportunity of getting together with Senator Dent.

I was surprise today when a newsman handed me a release by Senator Dent, which perhaps was not a formal release but just some off-the-cuff remarks which he made, to the effect that I and other Republicans had run out on him when we had made an agreement to meet with him yesterday. I perhaps could have called him a liar or something like that, but I did not.

As I remember it, I said it was a falsehood, or something on that order, or a misrepresentation and that it was done in order to mislead the people.

I want the people of Pennsylvania, and Senator Dent and everybody else to know that we on this side are not running out on them. We have gone and met with the Governor time after time when he wanted to meet with us, and others, to see if we could work out something. Even in spite of the fact that shortly after we had these meetings, he went out and made formal speeches throughout the State saying that we were obstructionists and that we were not doing our job, that we were not cooperating with him and all those other things, we would go back the next week and have another meet-

ing with him. I do not know how many meetings we have had with the Governor and his Democratic advisors. How he can say that we are running out on him is just beyond my imagination.

Mr. President, I hope that Senator Dent will be a little bit lenient with Mr. McCormick who, it has been announced, is now working for the Republican State Committee. Give him a little time and I believe that he will be able to come up with as many adjectives and with as tough names as your man "Poison Pen" Pennington uses on occasion. It will take a little time, but I am hopeful that sometime we will be able to get up here and hold the pace that "Poison Pen" Pennington holds when he writes those fine releases for Senator Barr and others on that side.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I think that Mr. McCormick probably learned his penmanship at the hands of Mr. Pennington. I am not sure of that, but I do remember when he worked under Mr. Pennington.

I have no disregard or regard either way for Bob McCormick. I think that personally he is a nice fellow and I am glad that he got on the pay roll. However, I am glad that he is on the State Committee's payroll and not on the State Senate's pay roll as the paper said today.

Mr. President, I would just like to conclude this thing in one way and that is by saying to the gentlemen on the other side that the President pro tempore of the Senate did run out on these meetings and did not show up for the meetings in the Governor's office. I do not think that you learned anything on November 2, 1954, and I think you learned less from the election returns on November 8, 1955.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, since the gentleman does not remember too well from yesterday, I would like to refresh his memory. He said he only remembered when we decided that I would like to meet with him. We were to meet about one o'clock. Well, he called me about one o'clock—if I remember, it was ten minutes to one—and he said, "Now the boys are not all around right now. They will be back about half past one or so, and I will call you when they come."

Now I misunderstood you because I thought you meant to do it. I construed that as a definite date, and it may interest you to know that I stayed in my office and waited for the call. At the time that you called, I understood you were back in the back somewhere. That is all right. That is no matter of earth-shaking consequence and whether it is a falsehood or not is no matter of earth-shaking consequence. What does matter is that we have tried to promote the welfare of this State. I do not believe that the people are fooled by any smart talk or clever phrases. Duffs press agent quotes you as saying that it is a Democratic inspired tax squabble. We do not admit the guilt of that charge.

Mr. President, we have time and again assumed what we thought was our responsibility. If the Governor has said to the people that you are obstinate and obdurate, he may have had some reason for that statement. For the past nine months you met with the Governor, yes; in the past six weeks and eight weeks, some of you. The Minority-Leader of the House never came to a meeting after the formal meetings started. While we were meeting in the office, the Minority Leader of the House was out lambasting the Governor and the Democratic Membership of this General Assembly. While we were meeting on a so-called effort to compromise, the Minority-Leader of the House was enunciating the program of the Republicans to be nothing but a sales tax. I mean the Republican Leaders and former Speaker of the House, now minority leader of the House, Charlie Smith by name and Charlie Smith by action.

Mr. President and Members of this Senate, I believe that if the truth were told by the other side, you would know that I sat down at those meetings and enunciated one principle. I said that the only way that you can compromise and compromise honestly is for both sides to give and both sides to take. I told them that I had a great deal of experience across the bargaining board in labor disputes, and I found when one side was adamant in its position there was inevitably a strike or a lock out. However, even after the strike and the lock out, they still had to come to the basis of a compromise to accomplish anything. I pleaded with the representatives of the Republican Caucus to come there prepared to speak for their Caucus. I think that the people ought to know that at no time was there anyone in attendance who could speak for the Republican Membership of the Senate or the Republican Membership of the House. If after some time the Governor became exasperated with the futility of it all, I can understand.

I do not know what the Republican Party's intentions are. They have an inkling, a very clear and forthright picture of what we have in mind. They can be discussing it, and I understand they have been discussing it in their Caucus. They can take a position as to the principles of the tax program we are talking about, and the question of the rates will be a question of compromise, a question of negotiation and a question as to ironing out what we think and what you think on the basis of what the State needs for its expenditures in the next couple of years. You cannot just sit over there and say, "We are willing to sit down with the Governor; we have met with the Governor, but no matter how long or how often we sit, we still are only going to be for the sales tax." You cannot do that in honesty. The people are not fooled and they were not fooled on November the 8th.

Mr. President, people are intelligent and, as a whole, they are very aware of what is going on in Harrisburg. Again, in the remarks of the gentleman, he said we may be in Session in 1956, meaning this Session of the Legislature. There is no earthly reason for this General Assembly to be in Session in 1956. During the campaign, one of your spokesmen, a man by the name of Malone, who seems to be the spokesman for the Republican Party in western Pennsylvania, a close associate of Duff—he was not at one time but if you know Malone, you know that he is now or was until election day—was on television, Mr. President, and he had a solution for our problem. He said that all we have to do in Harrisburg to solve the tax problem is to cut everything twenty per cent. I can answer that very frankly and say to

you members of this Senate on the other side that if you feel that is the solution, you can cut. You have the votes. There is nothing stopping you from doing anything you want to do.

The solution to this problem lays in an open, honest effort on the part of the Membership of this Senate to arrive at a fiscal program that will meet the needs of this Commonwealth. I do not care where you reach out to get $450,000,000, you are going to hurt somebody or something. That is almost fifty per cent of your present tax duplicate in this Commonwealth. It is a tremendous load to carry. It is not one that we relish. We would much prefer, Mr. President and Members of this Senate, to have been able to come to Harrisburg and say to the people of this Commonwealth, "There is no need for any tax increase in this State. We can survive the increasing cost of government without adding to your personal cost of government." Unfortunately, Mr. President, we cannot do that, nor can any community in this State, nor can the Federal Government, nor can any government today if it meets the challenge of our present day civilization, if it accepts the responsibility to the governed, if it acts constitutionally and gives to the people the services that the people by their vote have indicated that they want.

Therefore, Mr. President, I plead with the Membership of the Senate on the other side today to discard the voices of your outside advisors and to represent the people in your individual Districts with the over-all interest of the people of the Commonwealth in mind and at heart. If you feel that what we promote and what we propose as a tax program to be one that is politically unsound or politically unwise, tell the people that and then go out and defeat us if you will and if you can. We are not accustomed to being in office. A defeat does not destroy us and send us into a panic. We have been accustomed to wakening up on Wednesday mornings more often defeated than elected. Therefore, we do not worry about the salt river excursions. If our program for the benefit of this State means political defeat, we will accept that political defeat. However, we want it to be known to the people of this State that whatever we do, we are doing in good conscience; that we are endeavoring to pass the kind of legislation that will give this State the kind of government that we as a responsible political party stand for, harkening back to the infant days of this great Nation which has survived every war, storm and catastrophe as a single entity, that has come down over the years as a political party which has carried its banner unsoiled, high in the realms and in the skies of political principle and honesty.

Therefore, Mr. President, I beg of the Republican Membership of this Senate to sit down with the leadership on the Democratic side of the Senate now, tonight, tomorrow or any time that they say, and we will give you what we believe to be a program that can meet the needs of the Commonwealth. Let us not expect to cover up our inadequacies by employing, as the gentleman from the other side has said, a clever adjective writer. I might say that when he called Mr. Pennington "Poison Pen" Pennington, for thirteen years he worked for the Republican State Administration as their chief publicist. If he learned to dip his ink in acid and poison, he learned it at the knees of his teachers. If you are going to take that big, fine strapping, young, innocent man, Mr. McCormick, and try to make him out into the image of Pennington, you will have a hard row to hoe.

I remember Mr. Pennington, gentlemen of the Senate, when he and I operated a small newspaper together some twenty-six years ago. We operated a little weekly newspaper and when I say weekly, I spell it w-e-a-k-l-y. It was a free paper that we gave away, and when we were short of cash, which was almost every Saturday, we would go out and sell subscriptions. We both learned a little about the newspaper game in those days. Of course, I have learned that it has changed a lot since then. They use a different type of ink and I understand now, from the gentleman on the other side, that they use a different type pen. In those days, we were more interested in the truth, straight from the shoulder, and not so much in the adjectives.

However, Mr. President, the pen that the Republicans have employed will not solve the problem of the Commonwealth. The only thing which will solve the problem of the Commonwealth is the individual sense of responsibility of the individual Members of this Senate. I beg of you to reconsider your position and to allow us to assume the responsibility for the fiscal program in the State. If it is bad, the people will know it. If it is bad, the people will defeat us and praise you. If it is good, the people will benefit. You cannot always be right. We might be offered the opportunity once in twenty years of trying to at least be right.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I think we spend too much time in the Senate talking about tax matters when, no doubt, the gentleman knows that these tax matters should first be discussed in the House where, under our Constitution, all taxes must originate. All revenue measures, as Senator Dent knows, must originate in the House. Until the House passes on this tax package which has recently been discussed, the Senate can do nothing officially. As far as doing something unofficially, we have told them that we are willing to do that. We have gone, as Governor Leader said, the extra mile. We have told them that when the Governor, or Senator Dent, announces that this is the Administration tax package, we will go to our Senate Caucus, and we will advise them, in advance of any work which they must do in the House in regard to getting the tax package through, whether it will be a futile effort or whether it will not. We will tell them how many Republican votes the tax package may receive in the Senate.

I think that is as much and perhaps more than what they could expect the Republican Senate to do. However, the Democrats do not seem to appreciate that. They want us to start voting over here before they even introduce the bills in the House. I note by the newspaper today that the four topflight labor leaders have discussed the tax program with the Governor and they have endorsed it. They were asked why they endorsed it and they said, "Well, what do you suppose? You do not think we are going to object to what our friends are doing?" That is the way the newspaper this afternoon carried their story.

Mr. President, we first want to know just what this

tax program is. Senator Dent said it is a two per cent income tax. We want to know what deductions are in there, what business expenses may be taken credit for; we want to know how they arrive at the constitutionality of such a thing in the light of decisions of the Supreme Court of Pennsylvania which upheld that you cannot have exemptions. If the Governor was doubtful about the constitutionality of the tax-on-tax program which Senator Dent was talking about a week or so ago, I cannot understand why he should not be just as doubtful about this. All this does is make the multiplication of two per cent on the figure on one line in the income tax return, which you file with the Federal Government, instead of multiplying by seven per cent of the figure on another line in the Federal return. I just cannot understand why one would be constitutional and the other would not be constitutional.

I also would like to know, Mr. President, how they figure out they can collect, let us say, a manufacture's excise tax on a manufacturer of furniture in Illinois when the manufacturer would not know whether his furniture was going into Pennsylvania or whether it was going into California. Suppose a manufacturer sells to a wholesaler, and the wholesaler sells to a retailer in Pennsylvania and the retailer sells to somebody else. How could the manufacturer out there in one of those Midwestern States know whether he was supposed to collect the tax from the fellow he sold to or whether he was not supposed to?

Mr. President, Senator Dent just cannot expect us overnight to say, "Yes, we are for that," or, "No, we are not for it." We want to have some answers to these questions. I am willing to stay over here tomorrow and try to find out from Senator Dent if he has any answers or any explanations. I would like to have answers to some of my questions relative to these proposed taxes.

Senator Dent continually tries to make out to the people of Pennsylvania that the Republicans here are not doing their jobs. We are definitely trying to do our jobs, and we are not going to be for or against taxes because we are either friendly or unfriendly toward the Administration. We are going to pass Constitutional fair taxes here if you have them to propose.

It is also a little difficult, Senator Dent, for us to come to the conclusion that we are being against what the people want. When Governor Leader ran for Governor, he did not run on the type of tax program which he is now espousing, nor did he run on the Leader Classified Income Tax. As I remember it, the impression which I got, and which many others received, was that if we elected him Governor, we would not have to worry about any new taxes. We could even forget about the sales tax, because he was going to effect so many economies in government that we would not need any more taxes. That is the issue on which he went to the people in Pennsylvania. Now he comes along and he says, "Well, I cannot be for a sales tax because I promised the people of Pennsylvania I would not be for a sales tax." All this mercantile excise tax is, is a sales tax in disguise. Now we are browbeaten because we are not only not going to be for a sales tax, which he is trying to hide, but we are also against Governor Leader trying to put an income tax on the people. We definitely remember, in his campaign, that he said time and time again that he would oppose an income tax.

Mr. President, I wish the Democrats would give us a little time to try to forget all those promises. If Senator Dent and the Governor would have been as forthright in their speeches to the people of Pennsylvania about the necessity of raising taxes to pay for the needs of the Commonwealth when the campaign was on, in which Governor Leader was elected, as you were in your fine speech that you just made about ten or fifteen minutes ago, perhaps there would have been a little different result, and we might not have the same occupant in the front office as is now there. At that time, you had a different song to sing than you have now. You are playing the other side of the record. Sometimes I wish we would have the record to play back that you played a year ago. You would probably be startled at some of the things that you and the others said at that time.

Please give us a little time now. Do not ask us to make up our minds overnight about what we are going to do. Perhaps, it may be possible for two or three to swallow something or other here and gag a bit. However, I will have to find that out.

I want to say to Senator Dent right now that at no time when I sit down with, you, or the Governor or anybody else do I have any authority to speak for the other Republican Senators as far as whether they are going to vote for or against the tax program. Until such time as they specifically state to me, personally, that they will or will not support a tax program, I have no authority to speak for them. You evidently have some way of being able to speak for all the Democrats without what you call a unit rule. I cannot do that. I could not pledge any one of these Senators to vote for a tax without first discussing it with them and finding out whether they will vote for it. If they tell me they will, I will be glad to convey the message to you as to whether you can expect their vote. Further than that, I cannot now go, nor do I expect to go in the future. With that understanding, Senator Dent, I am willing to sit down with you or anybody else at any time and try to work out something.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I am at a loss to understand the gentleman from Titusville when he gets up and says that we should not even talk about taxes over here because they have to go through the House first. Then he enumerated taxes and he finally got around to saying that he is willing to go to any meetings, but if he goes to a meeting he cannot pledge even himself. I guess maybe he has to call Mrs. Mahany before he can pledge his own vote. He then went on to discuss what went on in last year's campaign.

I remember very well when jabbering Jim from Washington ran, and there was a $200,000,000 surplus. Jabbering Jim came in and spent $300,000,000 more.

Mr. President, I think we had a pretty good vote last week. At least we did out my way. I read the Philadelphia papers and every speech which was made by all major candidates, including Jabbering Jim and Harve Taylor right down here in this Market House, was on George Leader's tax program. Down in Philadelphia, we won by about 130,000 and our County Commissioners won by

about 90,000. Therefore, I think that the people know pretty well what is going on.

I do not know how we are supposed to talk to you Republicans. What is the use of you coming over to these meetings if you cannot even pledge yourself? I would like to ask that question.

INTERROGATION

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I certainly will, Mr. President.

Mr. BARR. Mr. Mahany, is there any need for having you in any bipartisan conference over in the Governor's Office if you cannot even pledge yourself to vote for anything?

Mr. MAHANY. Now, Senator Barr, I did not say that I could not pledge myself. I said I could not pledge any of the others. I will tell you over there, when you tell me your program, whether or not I feel that I could vote for it. I can pledge myself. As far as the others are concerned—

Mr. BARR. Mr. President, I have the floor, do I not?

Mr. MAHANY. All right, but I have not finished answering your question.

Mr. BARR. Oh, you had not? Pardon me, go ahead.

Mr. MAHANY. As far as the other Senators are concerned, I can pledge them after I tell them the tax program which you are espousing. Then I can come back and tell you then how many other votes in addition to my own that you can count on.

Mr. BARR. Mr. Mahany, I would like to ask you another question. With the unit rule can you pledge yourself?

Mr. MAHANY. Oh, my heavens, the unit rule does not have anything to do with that. We do not have a unit rule to start with, I told you that, but the unit rule does not obligate me to vote. In the far distant past, when I do remember that we did have a unit rule, it was always possible for a Senator to be excused from the unit rule upon asking for leave to be excused and then having the group vote to excuse him.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I was here in that dismal past and I can remember the Senator from Fayette County, Senator Bowers, and you had plenty of votes to pass bills, and he came to you with tears in his eyes and pleaded with you people to be relieved from voting on some bills affecting the mine workers in his area, and you would not do it and he went down to dismal defeat. I do not ever remember a time when anyone was ever excused from the unit rule over on your side. I think perhaps it may have worked out pretty well for you because the only time you broke it up was in one Session, in 1951, when the Minority Commissioner of Allegheny County led that great band of eleven. That is the only Session I remember when you did not have a unit rule. However, we will be perfectly willing to sit down with you tonight after this Session, or tomorrow, and if there are any questions you want to ask us about any taxes which have been talked about, we will be happy to answer. Up until now, I have not seen a program espoused by the Administration, by Senator Dent, by myself or by any Member on this side given to the public or to the Republican Caucus as yet.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I just want to state that in face of the situation as we have found it to be and as is very apparent to the rest of us in the Senate today, I would suggest that I think it would be useless, a waste of time and energy and would serve no useful purpose for Senator Mahany to meet with me or anybody else unless Senator Mahany is willing to bring to that meeting three Republican Senators who are courageous enough to say that if they decide that this is good legislation, or that they can go along with it whether it is good or bad, they will stand up and vote for that legislation because if we cannot do that, there is no sense in us delaying until next year.

I want to further state to all the Members of this Senate right here and now that the House has been challenged time and again by the Republican spokesman, while in the same breath he states that it would be useless to start any legislation through until we have taken it up with you and see whether it is futile or not to pass it. Then in the next breath he says that the House has to originate and pass it, and when it gets over here we will talk about it.

Mr. President, I do not know which side of the street he is playing on. He told me that I am singing on the other side of the record now. Senator Mahany or no other living citizen of Pennsylvania can say that I ever, during the Leader campaign, said that this State would not require new money. During the campaign in which I ran against Senator Duff, who was running for Governor and I for Lieutenant-Governor, I told the people of this Commonwealth that we would need $120,000,000 in new money. Candidate Duff answered me, and these are matters of record, and the man who wrote his answers is now working for us, and he said that not only would they not need new money, but they had $200,000,000 in surplus. In the very first Session of this General Assembly after he was elected, he asked for $144,000,000 worth of new money. On his way down South, he got a bottle of pop in South Carolina and conceived a great, big, brilliant scheme of putting taxes on pop because the kids could not vote.

I will not meet with any delegation from the other side unless they stand on this floor and say that they have a delegation who has the courage to come out and say, if they agree with what we are going to do, that they will stand up and vote for any program that we may compromise on. A failure to compromise is no disgrace. I do not say that a meeting itself is an assurance that we will reach an agreement, but if we do reach an agreement I want enough men over there to make the constitutional majority that we require. Failing in that, Senator Mahany, I am going to ask the House Leadership if they will introduce into the House next Monday a tax program designed to meet the needs of this Commonwealth. It will not be popular. The court has often held, and many wise men have spoken and have said, that there can never be any base of taxation that has equity in it. There is no equity as such in taxation. Therefore, no matter what we

come up with to raise $450,000,000 for the needs of this Commonwealth, we are going to make enemies. We will face that issue. All we ask you to do is to allow us to make the enemies if necessary, but let us keep our schools open and let us allow our hospitals to operate.

Right now today, Senator Mahany, let me tell you that you have left approximately $33,000,000 worth of borrowing power in this Commonwealth. You are going to need, by the end of November, some $92,000,000 to carry out the needs of the Commonwealth in its educational program. Come the end of this November, if we have not come closer to a solution of the problem, the Governor can do nothing but write to each subdivision of government and each State-aided institution and each school district and ask them to curtail their expenses in line with the amounts of money that they have and can raise locally. There is no other solution to the problem. I know that there is some toying with the idea that we could go in and increase the borrowing capacity by adding five per cent more to the legal limit which we have established, but I, for one, do not propose to vote for that kind of legislation. I, for one, do not propose to increase the borrowing capacity of this State. We are not going to throw millions of more dollars into the hands of the investment bankers, because all you are doing is postponing the inevitable day when you have to meet the situation anyway.

Therefore, Mr. President, I do not propose to sit here until next spring to make a campaign issue for Senator Duff or any other Republican.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I just do not follow my good friend, Senator Dent, in his argument. I have told him that I would go over and receive their program when it is officially unveiled. Senator Barr, as I remember it, said that as yet they have not placed an endorsement on any particular thing. Perhaps I misconstrued what he said, but that is how I understood his remark.

When the Democratic Party gets officially ready to unveil this tax program, which they say they are going to father, then I want to take a look at it. At that time, I have told him that I will be happy to convey it to the Members of the Republican Caucus. They might have some questions about the program, and I will be glad to try to find the answers to those questions for them if I do not have them. Then, I can go back and tell the Governor how many votes he may get for it. For me to pick out two or three Senators from this side to go up there and sit down with Senator Dent and pledge in advance that we are going to vote for something or other, no matter what it is, is just out of the question. There might be some Republican Senators here, for instance, who might want to vote for one of those bills but not the others. Contrary wise, there might be some other Republican Senators who might want to vote for the other bill and not for the bill which the other Republican Senators would vote for. In other words, there might be three or four Senators who might feel inclined to vote for a manufacturer's excise tax, but would not want to go along with the income tax. Therefore, Senator Dent, you cannot expect to have the same three Republicans, regardless of the tax, agree on any type of a tax nor can you expect us to come to you and say, "Here are the three Senators who will vote regardless of what you have."

Mr. President, we are trying to work out a solution in a workmanlike way. We feel that this is the best approach to it. If he is not satisfied with that, all I can tell the Senator is that then we are going to go along with what we should do under the Constitution. We are going to sit here in the Senate, patiently waiting for the House of Representatives to do the job which the Constitution says that they shall do, and that is to originate the taxes, pass them over there, bring them over here, have them put into a committee and the committee function according to the law of the State of Pennsylvania.

I want to go back to the unit rule again. Senator Dent and Senator Barr both know that we do not have any unit rule here which we enforce, because in the 1951 Session he knows that there were several Republican Senators who did not go along with the tax program which, at that time, was espoused by the Governor and other Republican Leaders. I do not know of any unit rule that we have had this Session. Each of these fellows over here, Senator Dent, feel that they are trying to represent the people who elected them to come down here and represent them. The only voices that they have are those of the people who sent them down here. They are trying their best to do their job in a representative way.

Mr. President, I also want to tell Senator Dent that Senator Duff nor nobody else who I know of that you have mentioned quite often has any iron hold over this Republican Caucus. The fact of the matter is that I do not know of a time when Senator Duff has told us to either vote for a tax or against a tax, or for any bill or against any bill. We are pretty much free agents over here, Senator, as far as voting on legislation. We do not wear anybody's collar. We are just trying to do our job. If you are not satisfied with the way we are trying to do it, then you do it the way the Constitution provides.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, you know that I am beginning to believe that my gentleman friend suffers from a convenient lapse of memory. If the gentleman from Crawford does not believe now that I am telling the truth, I will be glad to have the official reporter read back what he said just a few minutes ago in answer to Senator Barr. He said that he could not come to any meetings at the Governor's office because he could not speak under their unit rule program. Senator Mahany said that; it is in the record. If you do not believe that I am telling the truth now, we will have it read back right out of the record. Five minutes later, Senator Mahany said there is no unit rule and, therefore, he has a very convenient lapse of memory.

However, Mr. President, as a youngster around the coal towns, I used to do a little boxing. I learned that you never quite laid before your opponent your strategy of battle. However, the gentlemen over there would like to see the Democratic Administration take up, for instance, the two taxes that he now proposes and which he has already prejudged. He also said for the record—and I will be glad to have it read back—that in his opinion

it is just as unconstitutional as the classified income tax. That settles that tax. Senator Mahany would like to have us propose $450,000,000 worth of taxes one week and then have all the people who are affected by those taxes mad at us. Then, they will sit over there smugly and say, "No, we cannot go along.' Then the next week would come up with $450,000,000 more in taxes, which would hit another group of people, and they would sit back and say, "See those Democrats; they will tax even you." Then they will say, "No." Then when we have covered everything except the people who live in New Jersey, they will come back and say, "We will only accept a sales tax."

I have made you an offer, Mr. Floor Leader on the other side, since June 7th. I have said that you will either give us sufficient votes for us to assume our responsivility to the people or you will have to take that responsibility yourselves. Either you will allow us to put the taxes on the people, no matter what they are, or you will put them on no matter what they are.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 151, entitled:

An Act amending the act of June 20 1919 (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; . . . .," exempting certain persons corporations and organizations from tax on the transfer of property inherited or received by them.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 249, entitld:

An Act amending the act of June 24 1937 (P. L. 2051) entitled "Public Assistance Law," increasing monthly pension allowance and maximum income allowance crediting encumbrances in realty valuation and abolishing the sum of income and pension as a ceiling for pension receivable.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 332, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," authorizing the issuance of duplicate registration cards at the option of the owner and fixing the fee therefor.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 342, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code," exempting and limiting the number of motor vehicles of war amputees from the payment of title registration fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 602, entitled:

An Act amending the act of May 1 1929 (P. L. 1005) entitled as amended "The Tractor Code," changing the height and width standards for tractor cleats or grousers and guide bands.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 619, entitled:

An Act amending the act of May 11 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon. . . . .," decreasing the minimum number of employes who may be covered by policies issued to any employer or to trustees of a fund established by an employer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 670, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "The Administrative Code of 1929," revising and expanding the state mental health program providing for the appointment of a Deputy to be known as Commissioner of Mental Health and creating an advisory council on mental health in the Department of Welfare prescribing their powers and duties and changing the powers and duties of the boards of trustees of the several State mental institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 685, entitled:

An Act amending the act of June 24 1939 (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" further regulating the powers of limited life insurance companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 759, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949," limiting reimbursement for depreciation to school districts using their own vehicles in pupil transportation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 789, entitled:

An Act to amend the act approved the ninth day of August one thousand nine hundred fifty-two (P. L.) (Act No. 130) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" by authorizing collection of data concerning deceased veterans of armed conflicts and authorizing the erection of monuments to veterans of armed conflicts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 790, entitled:

An Act to amend the act approved the twenty-eighth day of July one thousand nine hundred fifty-three (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto," by authorizing collection of data concerning deceased veterans of armed conflicts and authorizing the erection of monuments to veterans of armed conflicts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 797, entitled:

An Act amending the act of June 24 1931 (P. L. 1206) entitled "An act concerning townships of the first class; . . . . .," requiring entrance of bond in appeals from board of adjustment rulings affecting zoning regulations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 813, entitled:

An Act amending the act of October 27, one thousand nine hundred fifty-five (Act No. 222) entitled "Pennsylvania Fair Employment Practice Act," providing that termination of employment under a bona fide retirement or pension plan shall not constitute an unfair employment practice.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 816, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," revising the school health services program and transferring the reimbursement appropriation for school nurses in such program to the Department of Public Instruction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 820, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled, "Second Class County Code," further regulating the repayment of money collected upon forfeited recognizances and the satisfaction of judgment liens against real property arising therefrom.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 830, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled, as amended, "The Fourth to Eighth Class County Assessment Law," requiring notice of changes in property valuations be given to political subdivisions in which the properties are located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 831, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379) entitled, "An Act creating in counties of the third class a board for the assessment and revision of taxes; . . .," requiring notice of changes in property valuations be given to political subdivisions in which the properties are located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 832, entitled:

An Act amending the act of May 22 1933 (P. L. 853) entitled "The General County Assessment Law," requiring notice of changes in property valuations be given to political subdivisions in which the properties are located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 833, entitled:

An Act amending the act of May 1 1933 (P. L. 103) entitled "The Second Class Township Code," authorizing townships to improve public streets or roads without petition and collect the costs thereof from owners of abutting properties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 844, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code," authorizing use of warning figures commonly known as "silent policeman" to be erected within school zones on highways and State highways by certain political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 961, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code," by further regulating the operation of certain buses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1079, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921," further providing for defining and regulating the issuance of group blanket and franchise accident and sickness insurance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1330, entitled:

An Act amending the act of May 17 1921 (P. L. 682) entitled 'The Insurance Company Law of 1921," further regulating reserves with respect to domestic mutual fire insurance companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1331, entitled:

An Act amending the act of May 17 1921 (P. L. 789) entitled as amended "The Insurance Department Act of one thousand nine hundred and twenty-one" changing provisions relating to fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1461, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code" exempting the Y M C A and Y W C A from vehicle registration and title fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1473, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled, "Public School Code of 1949," clarifying the taxing power of school districts of the second third and fourth classes to pay the minimum salaries and increments of the teaching and supervisory staff.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1687, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," creating the Advisory Board on Problems of Older Workers within the Department of Labor and Industry and placing additional powers and duties in the Department of Labor and Industry with respect to aging and aged persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1729, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law," providing for the incorporation and regulation of nonprofit dental service corporations furnishing dental services only to certain subscribers and their dependents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1730, entitled:

An Act providing for the regulation and supervision of nonprofit dental service corporations organized to provide dental services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1747, entitled:

An Act to further amend clause (a) of section five hundred ten of the act of May 1, 1929 (P. L. 905) entitled "Vehicle Code," by making an editorial correction and changing the time for beginning use of registration plates for certain vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1749, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," requiring the submission of a certain certificate by certain applicants requiring admission or release reports on certain persons by certain superintendents or medical directors or other competent authorities and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1779, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance . . .," by continuing the provisions of that section in effect for a further period.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1780, entitled:

An Act making an appropriation to the Insurance Commissioner as Statutory Liquidator to enable him to liqui-

date dissolve insurance companies associations and exchanges which have insufficient assets for such liquidation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Monday, November 21, 1955 ,at 3:30 o'clock, p. m., Eastern Standard Time.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:33 o'clock, p.m., Eastern Standard Time, until Monday, November 21, 1955, at 3:30 oclock p.m., Eastern Standard Time.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

MONDAY, November 21, 1955.

The Senate met at 3:30 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. WILLIAM H. KELLY, Pastor of St. Paul's Evangelical United Brethren Church, Lewisburg, offered the following prayer:

Let us pray.

O Eternal God, our Father, as we approach another Thanksgiving Day, we are reminded to give Thee thanks, as did the Psalmist of old, when he said:

"Bless the Lord, O my soul,
"And all that is within me,
"Bless His holy name.
"Bless the Lord, O my soul,
"And forget not all his benefits."

May Thy divine blessing rest upon the Governor of this State. Guide the thoughts of the Lieutenant-Governor as he presides in the Senate this day.

Give wisdom to the Senators that they may act in all their deliberations for the best interests of the citizens they represent, and not for any selfish motive or desire.

In all things we give Thee the honor, the glory and the praise due to Thy holy and matchless name.

In Thy Name and for Christ's sake, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. McGinnis, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr MAHANY asked and obtained leave of absence for Mr. PECHAN, due to illness.

RECESS

Mr. LANE. Mr. President, I move that the Senate do now take a recess for fifteen minutes, for the purpose of holding a Democratic Caucus.

Mr. HALUSKA. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 21, 1955.

To the Honorable, The Members of the General Assembly of the Commonwealth of Pennsylvania:

This Administration and this Legislature have wrestled with the problems of financing the Government of the Commonwealth for many weary months. A Budget for the State's operations was submitted on April 19th, and has not yet been finally acted upon in mid-November.

The House of Representatives passed a comprehensive tax program on July 26th, but the program was refused passage in the Senate.

Since that time a deadlock has prevailed.

Meanwhile, the financial difficulties of the State have multiplied. The fiscal biennium ended on May 31st, and since then, we have lived on a hand-to-mouth basis—without a planned Budget and without a revenue structure to support a Budget. To all purposes, we have lost eight months—one-third of the twenty-four month period in which a revenue program would normally be effective.

We are at the point where the State's heavy commitments to its public schools, its State-aided universities, its State-aided hospitals and institutions, are in default.

We are not honoring our obligations.

Through the months of August, September, and October, I have hoped that our differences could be reconciled. I repeatedly called for conferences with the leadership of the Legislature, and I regret that our meetings could not have long ago secured a bipartisan compromise of our differences on the Budget and a tax program.

I believe there is, at long last, a general realization that the State must have a revenue structure that will support its public services, and that this Legislature will necessarily enact such a program.

I believe, just as strongly as ever, that an income tax, adjusted in some manner to ability to pay, is the best tax structure for the Commonwealth and its people.

The majority in the State Senate believes otherwise, and has been committed to a tax on retail sales.

In order that all of us may proceed to carry out our

basic obligations to the people of Pennsylvania, I am now ready to urge the Legislature to adopt a tax program which is neither an income tax nor a retail sales tax.

It is necessary that such a tax be sufficient in yield to raise the new revenues which are the State's minimum requirement.

It is desirable that it be a tax which will be broad in its application, permitting us to bring some order and system into the crazy-quilt tax pattern which has been applied in State taxation over so many years.

In my judgment, a manufacturers' excise tax, imposed at the rate of three and one-half per cent, will raise the needed revenues and make it possible to simplify and improve our whole system of taxation. I will approve it, if adopted by the Legislature, as a second-best to the income tax which I prefer. Perhaps it would be more accurate to describe it as the least undesirable of the taxes open to us.

I have no personal commitment from the Republican majority in the Senate to accept the manufacturers' excise tax, but the majority leader and the assistant majority leader have each been publicly quoted as stating it is acceptable to them.

Under these circumstances, it would hold the promise of breaking the deadlock. I urge, therefore, that it be promptly approved by the House, where all revenue measures must originate, and be sent to the Senate for the consideration and passage that have been publicly offered.

With no exemptions except the processing of food for human consumption, the estimated yield from the manufacturers' excise tax for a sixteen-month period, at the suggested rate, will be $420,000,000.

Some of the principles of this proposed taxation are:

It is a tax on manufactured goods, payable by Pennsylvania manufacturers on that portion of their product sold in Pennsylvania. The same excise will be levied on all manufactured goods brought into the State, payable by the recipient.

It should not affect the competitive position of Pennsylvania industry in the National market, nor in the State itself.

Raw materials or partly manufactured goods used in manufacture will not be subject to the tax, since it applies only to finished products.

The lapse of time since the Budget was presented in April has given us an opportunity to revise our estimate of both revenues and expenditures. On the basis of that revision, the manufacturers' excise tax will make it possible to finance the basic operations of the State Government; honor our commitments to the State-aided school districts and institutions; and carry out a reasonable new program centering on the admitted problems of mental health and economic development.

The Legislature has, in the same lapse of time, found it desirable to propose expenditures additional to those contemplated in the Budget. Among these additions are $31,000,000 for State support of increased teachers' salaries and about $8,000,000 for State subsidy to school building construction.

To help us finance these added costs, I suggest that the capital stock tax be put on a pay-as-you-go basis. This will increase our revenues in this biennium by an estimated $25,000,000. The nonrecurrence of this income in the 1957-59 biennium will be more than covered by our ability at that time to apply the manufacturers' excise tax on a twenty-four month collection period.

It will be possible to revise and improve our whole structure of business taxes—better adapting our tax structure to industrial growth in the Commonwealth.

It will not now be necessary to increase the rate of the corporate net income tax from five to six per cent; but the other revisions in corporate net income tax application (as proposed in House Bill 941) should be adopted.

It will also be possible to proceed with the repeal of nine nuisance taxes on business, as recommended in the Budget Message.

It is of real importance to repeal the corporate excise taxes on both foreign and domestic corporations. These taxes are an actual barrier imposed by the State against industrial and business growth; they impose tax penalties on the development of new businesses in Pennsylvania.

Further, it will be possible—and I so recommend—to reinstate the historic exemption of manufacturers from the capital stock tax, effective January 1, 1957.

It should be stressed that the yield of the manufacturers' excise tax must be maintained, if it is to accomplish its purpose as a major aid in resolving the State's fiscal crisis. If exemptions are broadened, or the rate reduced, the loss of revenue would have an immediate impact against such legislative additions to the Budget as the rise in teachers' salaries and State aid for school construction.

To my mind, the proposed manufacturers' excise tax is acceptable only as a recognition of political and legislative realities. It would not be the tax program I would advocate or accept if the Democratic Party had a majority in both House and Senate. Since we do not have a majority in the Senate, we must find a point of mutual accommodation with the Republican majority. This appears to be it.

If it is, we shall have at least this consolation.

We shall finally bring the affairs of this Commonwealth into an honest financail balance, ending the evasions and escapes which have so consistently over the years passed our financial troubles from Administration to Administration. Perhaps we have finally come to recognize that Pennsylvania can operate on a basis of solvency instead of deficits; that a Legislature and a Governor can meet their responsibilities both to the present and to the future.

We are discussing the raising of tax dollars.

Those dollars should only be raised if they are necessary for the welfare of the people of Pennsylvania. Substantially, we spend tax dollars for education; we spend them for health; we spend them to help the needy; we spend them for mental care; we spend them for the maintenance of a civilized society.

The price is surely not so high that we cannot afford to pay it in this great and prosperous State.

GEORGE M. LEADER,
Governor.

The PRESIDENT. This communication will be printed in the Legislative Journal.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE LACKAWANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 21, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Lackawanna County Board of Assistance:

Joseph Meixell (Dem.), 322 Madison Avenue, Scranton, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Leo Harding, Scranton, resigned.

Alvin H. Greenwald (Dem.), 523 Clay Avenue, Scranton, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice Ernest Henkelman, Scranton, resigned.

Peter Putirskas (Dem.), 1828 North Main Avenue, Scranton, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice William H. Farber, Scranton.

Frank Mroz (Dem.), 1402 South Webster Avenue, Scranton, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Raymond W. Tannler, Scranton.

Michael M. Menichiello (Dem.), 611 Sanderson Street, Throop, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Willard B. Allen, Scranton, resigned.

DavidW. Lewis (Rep.), 120 Powell Street, Old Forge, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Rev. William D. Golightly, Scranton.

Mrs. Regina W. Rehner (Dem.), 907 Lackawanna Avenue, Mayfield, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Ann Santarsiero, Dunmore.

GEORGE M. LEADER.

MEMBER OF THE ADVISORY HOSPITAL COUNCIL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 21, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and conent of the Senate Hon. Berwyn F. Mattison, Camp Hill, Cumberland County, for reappointment as a member of the Advisory Hospital Council, to serve until November 18, 1959, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Rose D. Komarinski, R. D. 1, New Florence, Westmoreland County, for appointment as Justice of the Peace in and for the Township of St. Clair, Westmoreland County, until the first Monday of January 1956, vice Joseph Komarinski, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Albert G. Diehl, Sr., Box 222, Penn, Westmoreland County, for appointment as Justice of the Peace in and for the Township of Hempfield, Westmoreland County, until the first Monday of January 1956, vice John H. Silvis, deceased.

GEORGE M. LEADER.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph J. Alonzo, 1712 Penn Avenue, Jeannette, Westmoreland County, for appointment as Alderman in and for the Fourth Ward of the City of Jeannette, Westmoreland County, to serve until the first Monday of January 1956, vice Alfred S. Petrill, resigned.

GEORGE M. LEADER.

MEMBERS OF FRANKLIN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Franklin County Board of Assistance:

Mrs. Corynn W. Ervin (Dem.), 115 Myrtle Avenue, Waynesboro, to serve until December 31, 1957. (Reappointment)

Mrs. Marie P. Middour (Dem.), R. D. 4, Waynesboro, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Margaret G. Welty, Waynesboro, resigned.

Miss Emilie F. Reisner (Dem.), 203 South Main Street, Chambersburg, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Mary Elizabeth G. Glen, Chambersburg, whose term expired.

Emory J. Middour, Jr. (Dem.), R. D. 3, Greencastle, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Edwin D. Strite, Jr., Esq., Chambersburg, whose term expired.

Joseph W. Spangler (Dem.), 49 West Commerce Street, Chambersburg, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice J. Raymond Myers, Mercersburg, whose term expired.

Mrs. Kathleen W. Shoop (Dem.), Richmond Furnace, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Mrs. Janet Ritchey, Greencastle, whose term expired.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 12, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick Wm. McGuire, 142 Fern Street, Freeland, Luzerne County, for appointment as Justice of the Peace in and for the Township of Foster, Luzerne County, to serve until the first Monday of January 1956, vice Andrew Holled, resigned.

GEORGE M. LEADER.

MEMBER OF THE DELAWARE RIVER STUDY COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice K. Goddard, Secretary of Forests and Waters, State College, Centre County, for appointment as a member of the Delaware River Study Commission, to serve until terminated.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Philadelphia State Hospital, for the term of four years and until their successors are appointed and qualified:

Philip Davidoff, 5625 North 10th Street, Philadelphia, Philadelphia County, vice Dr. H. Clayton Moyer, deceased.

Hirsh W. Stalberg, 5672 Lebanon Avenue, Philadelphia, Philadelphia County, vice William W. Bodine, Villa Nova, resigned.

Frank C. Cleary, 3246 Cottman Street, Philadelphia, Philadelphia County, vice Benjamin H. Freeman, Narberth, resigned.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elsie B. Ganz, Summit Lawn, Allentown, Lehigh County, for reappointment as a member of the Board of Trustees of Allentown State Hospital, for the term of four years and until her successor is appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE SULLIVAN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Sullivan County Board of Assistance:

Stephen Chervak (Dem.), Mildred, to serve until December 31, 1957, and until his successor is duly appointed and qualified. (Reappointment)

Vell C. Holcombe (Rep.), Dushore, to serve until December 31, 1956, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Juanita Burnasky (Dem.), Box 77, Lopez, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Miss Anne E. Yarosh, Lopez, whose term expired.

Roscoe Burgess (Rep.), R. D. 1, Forksville, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Mrs. Susan Morgan, Shunk, whose term expired.

Frank Rohe (Dem.), Dushore, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Frank J. Bendinsky, Mildred, whose term expired.

Mrs. Gladys Hallabuk (Dem.), Box 74, Muncy Street, Laporte, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Harry Haywood, Eagles Mere, resigned.

Fred D. Starr (Rep.), Muncy Valley, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice Mrs. Marie Kanally, Hillsgrove, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE CARBON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. Joseph Engler, Esq., (Dem.), 307 Center Street, Jim Thorpe, Carbon County, for reappointment as a member of the Carbon County Board of Assistance, to serve until December 31, 1957, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of County Boards of Assistance:

CUMBERLAND COUNTY

Arthur R. Burkhart (Republican), Shippensburg, from January 1, 1955, until December 31, 1957, and until his successor is duly appointed and qualified.

JUNIATA COUNTY

Reverend Elmer James Davis (Republican), Mifflintown, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Mrs. Helen Guss Lauver, Mifflintown, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to minate for the advice and consent of the Senate the lowing persons for appointment as members of the ard of Trustees of Hollidaysburg State Hospital, for the rm of four years and until their successors are apinted and qualified:

Homer I. Smith, 809 Penn Street, Hollidaysburg, Blair unty, vice Miss Mary G. Kilday, Altoona, resigned.
Rev. J. P. Flynn, Newry, Blair County, vice Charles G. aple, Tyrone, resigned.
Carl C. Manchester, 1206 Walnut Street, Hollidaysburg, air County, vice Mrs. Wilma N. Kerr, Martinsburg, moved from office.
John Horon, 719 East Walton Avenue, Altoona, Blair unty, vice George W. Williams, Hollidaysburg, reigned.
William R. Klevans, 915 Franklin Street, Roaring ring, Blair County, vice Abraham Colbus, Esq., toona, resigned.
James E. Blatchford, 1317 Eleventh Avenue, Altoona, air County, vice John G. Love, Esq., Bellefonte, reigned.
Robert I. Grove, Main Street, Alexandria, Huntingdon unty, vice Robert L. Harpster, Warriors Mark, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to minate for the advice and consent of the Senate erald L. Lowe, 406 Fairview Avenue, West Fairview, umberland County, for appointment as Justice of the ace in and for the Borough of West Fairview, Cumberand County, to serve until the first Monday of January 58, vice L. Ira Cargill, resigned.

GEORGE M. LEADER.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to minate for the advice and consent of the Senate alph J. Vincent, 95 Lexington Avenue, New York, New ork, for appointment as Commissioner of Deeds for e Commonwealth of Pennsylvania, with residence in e State of New York, for the term of five years, to mpute from the date of confirmation.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to minate for the advice and consent of the Senate Mrs. Sara R. Sattler, 375 Semple Street, Pittsburgh 13, Allegheny County, for appointment as a member of the Board of Trustees of Polk State School, for the term of four years and until her successor is appointed and qualified, vice John L. Gibson, Monessen, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry M. Heffner, R. D. 1, Fleetwood, Berks County, for appointment as Justice of the Peace in and for the Township of Ruscombmanor, Berks County, to serve until the first Monday of January 1956, vice Paul H. Knabb, resigned.

GEORGE M. LEADER.

REPORTS FROM COMMITTEES

Mr. WAGNER, from the Committee on Education, reported as committed, Senate Bill No. 257, entitled:

An Act validating the action of any school board which has heretofore employed any teacher who was related to a member of the board, without strictly complying with the law relating to such employment and relieving the members of the board from all liability.

Mr. MULLIN, from the Committee on Law and Order, reported as committed Senate Bill No. 572, entitled:

An Act authorizing the Pennsylvania Liquor Control Board to issue special temporary permits for the retail sale of malt or brewed beverages at baseball parks under certain circumstances.

Mr. HARNEY, from the Committee on Agriculture, reported as committed Senate Bill No. 791, entitled:

An Act making an appropriation to the Department of Agriculture for developing and operating a livestock show.

BILL RE-REFERRED

Mr. SILVERT, from the Committee on Education, returned to the Senate, Senate Bill No. 681, entitled:

An Act relating to and regulating the practice of the profession of landscape architecture; providing for the licensing and registration of persons practicing said profession and the suspension and revocation of said licenses and registrations for violation of this act; prescribing the powers and duties of the State Board of Examiners of Landscape Architects, the Department of Public Instruction and the courts; and prescribing penalties.

Which was re-referred to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the bills I am about to report from committee, as committed, are being reported with the proviso that upon Second Reading they will be re-referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. STIEFEL, from the Committee on Forests and

Waters, Game and Fish, reported as committed Senate Bill No. 821, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Crispin Cemetery in Philadelphia; providing for its restoration and maintenance as an historic shrine and making an appropriation.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed Senate Bill No 822, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to prepare, edit and publish a Historical Atlas of Early Pennsylvania; providing for the sale and distribution thereof and making an appropriation.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed Senate Bill No 823, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Mikveh Israel Cemetery on Spruce Street in Philadelphia; providing for its restoration and maintenance as an historic shrine; and making an appropriation.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed Senate Bill No. 826, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to edit, illustrate and publish its new report on the Frontier Forts of Pennsylvania; providing for the distribution and sale thereof and making an appropriation.

Mr. KOPRIVER, JR., from the Committee on Law and Order, reported as committed Senate Bill No. 600, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," permitting sales on credit of liquor malt or brewed beverages by railroad or pullman companies in dining club or buffet cars to passengers for consumption while enroute holding authorized credit cards issued by railroad or railroad credit bureaus.

BILLS INTRODUCED AND REFERRED

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 839, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the limit on temporary debt for current expenses and debt service with respect to certain appropriations.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 840, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further regulating the borrowing in anticipation of current revenue.

Which was committed to the Committee on Education.

Messrs. FLEMING and McGINNIS read in place and presented to the Chair Senate Bill No. 841, entitled:

An Act to promote the welfare of the people of this Commonwealth; creating Port Authorities to function in counties of the second class as bodies corporate and politic, with power to plan, acquire, construct, maintain and operate facilities and projects for the improvement and development of the port district and to borrow money issue bonds therefor; providing for the payment of s bonds and prescribing the rights of the holders ther conferring the right of eminent domain on the authorit authorizing the authorities to enter into contracts v and to accept grants from the Federal government or agency thereof; and conferring exclusive jurisdiction certain courts over rates and services; and authorizing authorities to collect tolls, fares, fees, rentals and char for the use of facilities; defining the authorities' pow and duties, and defining the port districts.

Which was committed to the Committee on Lo Government.

Mr. MADIGAN read in his place and presented to Chair Senate Bill No. 842, entitled:

An Act amending the act of May 15, 1939 (P. L. 1 entitled, as amended, "An act relating to fireworks; . . authorizing the use of fireworks in connection with rais crops.

Which was committed to the Committee on Agricult

Messrs. BERGER and McGINNIS read in place presented to the Chair Senate Bill No. 843, entitled:

An Act amending the act of June 1, 1933 (P. L. 11 entitled "Borough Rural State Highway Law," addin new route in the Borough of Coudersport.

Which was committed to the Committee on Highwa

Messrs. WATKINS, VAN SANT, BARR and LANE r in place and presented to the Chair Senate Bill No. entitled:

An Act amending the act of June 28, 1947 (P. L. 11 entitled "An act relating to the annual salaries of cert county officers of counties of the second class," increas the salaries of sheriffs.

Which was committed to the Committee on Lo Government.

They also read in place and presented to the Ch Senate Bill No. 845, entitled:

An Act amending the act of June 25, 1947 (P. L. 9 entitled "An act relating to the annual salaries and c pensation of certain county officers of counties of seventh class," increasing the salaries of sheriffs.

Which was committed to the Committee on Lo Government.

They also read in place and presented to the Ch Senate Bill No. 846, entitled:

An Act amending the act of June 25, 1947 (P. L. 9 entitled "An act relating to the annual salaries of cert county officers of counties of the fifth class," increasing salaries of sheriffs.

Which was committed to the Committee on Lo Government.

They also read in place and presented to the Ch Senate Bill No. 847, entitled:

An Act amending the act of June 25, 1947 (P. L. 9 entitled "An act relating to the annual salaries of cert county officers of counties of the fourth class," increas the salaries of sheriffs.

Which was committed to the Committee on Lo Government.

They also read in place and presented to the Chair nate Bill No. 848, entitled:

An Act amending the act of June 25, 1947 (P. L. 973), titled "An act relating to the annual salaries of certain unty officers of counties of the third class," increasing e salaries of sheriffs.

Which was committed to the Committee on Local vernment.

They also read in place and presented to the Chair nate Bill No. 849, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), titled "An act relating to the annual salaries and com-nsation of certain county officers of counties of the sixth ass," increasing the salaries of sheriffs.

Which was committed to the Committee on Local vernment.

They also read in place and presented to the Chair nate Bill No. 850, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), titled "An act relating to the annual salaries and com-nsation of certain county officers of counties of the ghth class;" increasing the salaries of sheriffs.

Which was committed to the Committee on Local vernment.

Mr. WATKINS read in his place and presented to the air Senate Bill No. 851, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), titled "Public School Code of 1949," requiring approval the electors of the school district before entering into y lease with the State Public School Building Author-or any municipality authority or nonprofit corpora-n and providing for elections thereon

Which was committed to the Committee on Education.

Messrs. PROPERT, CAMIEL, MULLIN and KOPRIVER, . read in place and presented to the Chair Senate Bill o. 852, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), titled "Liquor Code," permitting holders of bonded arehouse licenses issued by the Pennsylvania Liquor ntrol Board to receive in bond certain liquor and al-hol for storage in bond in this Commonwealth, regulat-g the release of such liquor and alcohol for delivery.

Which was committed to the Committee on Judiciary eneral.

r. SILVERT read in his place and presented to the Chair nate Bill No. 853, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669) titled, as amended, "An act to provide revenue for nool districts of the first class by imposing a tax on rsons engaging in certain business, professions, occupa-ns, trades, vocations and commercial activities therein; . ." excluding certain costs from the term "receipts."

Which was committed to the Committee on Education.

Messrs. SILVERT and MAHANY read in place and pre-nted to the Chair Senate Bill No. 854, entitled:

An Act amending the act of June 20, 1947 (P. L. 733) titled, as amended, "An act to provide revenue in school stricts of the first class A by imposing a temporary tax on certain classes of personal property; . . ." by chang-ing the date for the filing of returns of taxable property; requiring the payment of the tax at the time of filing such returns; and providing penalties for failure to pay such tax when due.

Which was committed to the Committee on Finance.

They also read in place and presented to the Chair Senate Bill No. 855, entitled:

An Act amending the act of June 17, 1913 (P. L. 507) entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; . . ." by changing the date for filing of returns of taxable property, requiring the payment of the tax at the time of filing such returns and providing penalties for failure to pay such tax when due.

Which was committed to the Committee on Finance.

They also read in place and presented to the Chair Senate Bill No. 856, entitled:

An Act amending the act of May 23, 1949 (P. L. 1676) entitled, as amended, "An act to provide revenue in school districts of the first class by imposing a tax upon certain classes of personal property; . . ." by changing the date for the filing of returns of taxable property; requiring payment of the tax at the time of filing such returns; and providing penalties for failure to pay such tax when due

Which was committed to the Committee on Finance.

Mr. CAMIEL read in his place and presented to the Chair Senate Bill No. 857, entitled:

An Act authorizing political subdivisions and the members of the paid fire fighting force to enter into written contracts concerning wages and conditions of employment.

Which was committed to the Committee on Local Government.

Messrs. STIEFEL and CHAPMAN read in place and presented to the Chair Senate Bill No. 858, entitled:

An Act relating to the geography of Pennsylvania; creating the Pennsylvania Geography Board, and prescribing its powers and duties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

They also read in place and presented to the Chair Senate Bill No. 859, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research

Which was committed to the Committee on Appropriations.

Mr. STIEFEL read in place and presented to the Chair Senate Bill No. 860, entitled:

A Joint Resolution proposing an amendment to article eighteen, section one of the Constitution of the Commonwealth of Pennsylvania requiring the submission of constitutional amendments to the electors at special elections.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. HAYS read in his place and presented to the Chair Senate Bill No. 861, entitled:

An Act amending the act of April 11, 1929 (P. L. 488), entitled "An act providing for the certification of in-

spected seed potatoes, agricultural and vegetable seeds; . . ." extending its provisions to crop plants vegetatively propagated; changing the definition of "certified seed;" providing for certification and seed certifying agencies; making changes with respect to promulgation of rules and regulations, collection fees, fines and penalties.

Which was committed to the Committee on Agriculture.

Messrs. SCHMIDT and FLEMING read in place and presented to the Chair Senate Bill No. 862, entitled:

An Act amending the act of June 16, 1836 (P. L. 715), entitled "An act relating to Reference and Arbitration," providing by rule of the County Court of Allegheny County for the arbitration of certain suits at issue.

Which was committed to the Committee on Judiciary General.

Mr. SEYLER read in his place and presented to the Chair Senate Bill No. 863, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," further regulating school bus passing.

Which was committed to the Committee on Highways.

Messrs. TAYLOR and DENT read in place and presented to the Chair Senate Bill No. 864, entitled:

An Act directing the Highway and Bridge Authority in cooperation with the City of Harrisburg, and at the expense of the Commonwealth, to construct a by-pass through the northeast corner of Capital Park.

Which was committed to the Committee on Highways.

Messrs. BARR and FLEMING read in place and presented to the Chair Senate Bill No. 865, entitled:

An Act to amend the act, approved the twenty-ninth day of July, one thousand nine hundred fifty-three (P. L. 1050), entitled "An act providing for the acquisition, construction, improvement, operation and maintenance of tunnels for certain highway purposes with the Commonwealth; . . ." authorizing the use of facsimile signatures and facsimile seal on bonds on the commission; authorizing preliminary or interim financing through issuance of notes or other obligations of the commission payable solely from revenues of the commission, including tolls, or from such funds as may be available to the commission for such purpose; providing for the securing of such notes or obligations, constituting the same legal investments in certain instances and exempting the same from taxation; and authorizing the issuance of tunnel revenue refunding bonds.

Which was committed to the Committee on Corporations.

PARLIAMENTARY INQUIRY

Mr. MALLERY. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Blair, Mr. Mallery, will state his question of parliamentary inquiry.

Mr. MALLERY. Mr. President, being both young in age and in spirit in the Senate, and being desirous of paying a tribute to our esteemed colleague, Senator Stiefel, I would like to know from our genial Presiding Officer whether it would be possible to change the name of the Committee on Forests and Waters to the "Committee on Senator Stiefel."

The PRESIDENT. Your parliamentary inquiry is very well taken. I think that Senator Stiefel will agree to that.

PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President and Members of the Sena in my opinion it is becoming increasingly evident th the longer this Session of the Legislature is in Sessio the more we deteriorate.

I had a rather unusual experience today and, aft reviewing that experience, a statement came to m mind which was made by a great man who once sa "Consistency is the hobgoblin of small minds and t refuge for little statesmen." That statement proved be so true today. Mr. President, when we had a commi tee meeting, held by the Committee on Law and Ord I was always under the impression that we operat democratically under a Republican form of governme However, I found today that, apparently, we are o erating under a dictatorship. I was never aware that chairman of a committee could decide for the enti membership as to what bills will be considered and wh they would be considered.

Mr. President, I make direct reference to a couple bills which have to do with the safe operation of o railroads here in Pennsylvania. I was under the impre sion that when I attended this meeting today, it was f the express purpose of considering these two most im portant bills. I found, Mr. President, that the first b which we considered was whether or not a Great Da would be the State dog of Pennsylvania. Then, participated in a League of Nations argument over th particular problem. Then, the discussion came arou to whether or not the Pennsylvania Railroad would ha the right to sell booze on credit. From there it went whether or not beer should be sold at our baseball parl However, when it came to considering important le islation, the Chairman of the Committee on Law a Order did not have the bills. As a matter of fact, did not know where the bills were and after I inte rogated him, he said that he neither knew when he w going to hold another meeting nor when he was goi to consider these bills.

Mr. President, I am wondering if the chairman of th committee is fully cognizant of the responsibility a trust which was placed in him when he was selected act as the chief official of a very important committ

The legislation to which I refer, Mr. President, accor ing to the House History, was referred to the Committ on Law and Order, I believe, on May 10. That is Hou Bill No. 397, which passed the House on May 3 by vote of 139 to 39. Also, Mr. President, I refer to anoth bill which passed the House, House Bill No. 411, by vote of 134 to 45. It then was referred to the Committ on Law and Order on May 10, of this year. The chai man of the committee said that he was studying th legislation, and that several persons wer concern about it. As a matter of fact, he said there was one ra roader who was opposed to it. It so happens, Mr. Pre dent, that I am an ex-railroader. I happen to be a form locomotive engineer and a former locomotive firema I would say, therefore, to the chairman of that commi tee, that any railroader who is in the ranks and w opposes this legislation needs the services of a psychiatri

Mr. President, the chairman is sitting over there an I know he would like to talk. I desire to interrogate th gentleman from Delaware, Senator Watkins.

The PRESIDENT. Will the gentleman from Delaware, r. Watkins, permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. LANE. Senator Watkins, are you the Chairman of e Committee on Law and Order?

Mr. WATKINS. I was so appointed and I would say at I am the chairman.

Mr. LANE. You are?

Mr. WATKINS. Yes.

Mr. LANE. Well, did you receive House Bill No. 397 d House Bill No. 411 on or about May the 10th of is year?

Mr. WATKINS. If you say that I did, I did.

Mr. LANE. Senator, I am asking you a question. Did u receive those bills? According to the Journal you did.

Mr. WATKINS. Well, if the Journal says that, then did receive the bills.

Mr. LANE. Had you reviewed the subject matter ntained in these bills?

Mr. WATKINS. Why, certainly I have.

Mr. LANE. I see. Are you opposed to this legislation?

Mr. WATKINS. I have an open mind on it. You seem know so much about it, but when you get through lking I will tell you what I know about the bills.

Mr. LANE. I am asking you a few questions. Tell us you cannot answer them or would you rather sit down?

Mr. WATKINS. I am not personally opposed to this gislation. Whether it is good legislation or not, I would t say. I have no personal feeling against any bill. you mean personally, then I say no. I have no feeling ainst it.

Mr. LANE. Do you feel that it is good legislation then?

Mr. WATKINS. I do not, in my opinion, think that have to tell you whether I think it is good legislation not.

Mr. LANE. If you do not care to answer the question, u can be excused.

Mr. WATKINS. I am chairman of the committee, and told you today that I was studying the bills and I am udying the bills. I did not say that the bills would ver be heard.

Mr. LANE. I am asking you a question. Do you con-der this good legislation or bad legislation?

Mr. WATKINS. I must keep an open mind. In answer your question, I would not say whether it is good gislation or bad legislation at this time.

Mr. LANE. Well, you have read the bill, have you not?

Mr. WATKINS. Yes, I have.

Mr. LANE. Then you have formulated an opinion, ve you not?

Mr. WATKINS. Well, sometimes we can read bills veral times and form a lot of opinions. Sometimes the lls are even brought out on the floor and there are ll differences of opinion.

Mr. LANE. Have you read the bill several times?

Mr. WATKINS. I do not have to answer whether I ve read it several times or not.

Mr. LANE. You just stated a few moments ago that u could read it several times and formulate different inions.

Mr. WATKINS. Well, then why do you ask me again? u would make a better railroad engineer than you uld a lawyer, Senator.

Mr. LANE. I do not know about that, but I want to ask you a few more questions if you do not mind.

Mr. WATKINS. Go ahead.

Mr. LANE. Today, in committee, did you not refuse to consider these bills?

Mr. WATKINS. I did not.

Mr. LANE. You most certainly did.

Mr. WATKINS. I did not.

Mr. LANE. Did you have the bills in your possession?

Mr. WATKINS. I did not refuse to hear the bills. I said that I was not calling them up today and I say that now.

Mr. LANE. Did you call the committee meeting for the purpose of bringing up these bills or to bring out that Pennsylvania Railroad bill to sell booze on credit?

Mr. WATKINS. I certainly did not. I did not mention any bills that I was going to bring up, and I did not make my mind up until Sunday afternoon.

Mr. LANE. Who made your mind up for you?

Mr. WATKINS. No one.

Mr. LANE. I see. Then all you decided to consider today were the bills which we had before us?

Mr. WATKINS. That is right.

Mr. LANE. Did you make any statement to anyone that you would consider these railroad bills?

Mr. WATKINS. I did not.

Mr. LANE. You did not. Well, do you intend to consider these railroad bills?

Mr. WATKINS. That just depends on whether I will hear them and give them further consideration or not.

Mr. LANE. How do you mean "that just depends?"

Mr. WATKINS. If you will listen to me after you get through, I will tell you something.

Mr. LANE. I am asking you a question. Do you not care to answer it?

Mr. WATKINS. Well, it depends upon a court decision for one thing.

Mr. LANE. On what?

Mr. WATKINS. On a court decision.

Mr. LANE. On a court decision?

Mr. WATKINS. Yes.

Mr. LANE. Do you set yourself up as a constitutional lawyer?

Mr. WATKINS. No, I do not but I set the court up as an example for me to go by as a State Senator. I do not believe in wasting time with duplicate bills when the same bills are being heard by the Supreme Court of the State of Pennsylvania.

Mr. LANE. Did you not say in committee today that the bills are unconstitutional?

Mr. WATKINS. I said that I thought, in my opinion, that they were unconstitutional and I say that again.

Mr. LANE. Well, what makes you think they are unconstitutional?

Mr. WATKINS. Well, I think they are unconstitutional. I do not care to go any further to tell you why I think they are unconstitutional.

Mr. LANE. Do you refuse to answer?

Mr. WATKINS. When the Supreme Court decision is written I will get you a copy of it.

Mr. LANE. Can you tell me what the Supreme Court is going to do?

Mr. WATKINS. I cannot. I am no Supreme Court Judge.

Mr. LANE. Then how do you know that it is unconstitutional?

Mr. WATKINS. It has been declared unconstitutional through the litigation of a law, which is the same as the bill I have in my committee.

Mr. LANE. Not necessarily, no.

Mr. WATKINS. Oh, it has been.

Mr. LANE. Now it has been changed.

Mr. WATKINS. I say to you that it has been declared unconstitutional.

Mr. LANE. When was it declared unconstitutional?

Mr. WATKINS. It was declared unconstitutional in the Dauphin County Courts in 1940 by litigation of the same identical bill.

Mr. LANE. Who declared it unconstitutional?

Mr. WATKINS. I just told you, the Courts of Dauphin County.

Mr. LANE. The Courts of Dauphin County? There are higher courts, are there not?

Mr. WATKINS. That is right, and the higher court upheld the decision of the Dauphin County Court.

POINT OF ORDER

Mr. MAHANY. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Crawford, Mr. Mahany, will state his point of order.

Mr. MAHANY. Mr. President, I do not think that the gentlemen are talking under interrogation.

In the first place, under interrogation, I think the remarks of the gentlemen should be limited to questions asked by Senator Lane and answered by Senator Watkins and should not resolve itself into an argument between the two Senators.

Mr. President, if Senator Lane has some information which he would like to get from Senator Watkins, I think it is perfectly all right as long as it is confined within certain limitations, but to have a wrangle between the two I think is highly out of order.

The PRESIDENT. The point of order is well taken. It is an interrogation which the Senator from Delaware agreed to. I wish the one gentleman, instead of both talking at once, would ask the question and then the other answer it, particularly so that the employees of the Senate will be able to get it into the record.

POINT OF ORDER

Mr. WADE. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Cumberland, Mr. Wade, will state his point of order.

Mr. WADE. Mr. President, it is my understanding that any interrogation from one Member to another should always pass through the Chair and not directly from one to the other.

The PRESIDENT. That is correct. We have not followed that rule very explicitly, though.

We will allow them to go ahead. However, the Chair would appreciate it if the questions were asked and the answers were given so that we can understand what this debate is all about.

The Senator from Washington will proceed.

Mr. LANE. Mr. President, I can readily see that Senator Watkins has his second team over there ready to advise him. They seem to make a great to-do on my type of interrogation.

I will follow through by going through the Chair, Mr. President, if those on the other side also follow that same procedure. I do not think that it is very often I take the floor and bring up a point of order in any debate. I think you can count the times on one hand during all the years that I served in the House and the Senate. However, if that is the way they want it, that is the way I will do.

Senator Watkins, could you advise the Members of the Senate when you plan on having another meeting of your Committee on Law and Order?

Mr. WATKINS. Mr. President, at this time I cannot determine that.

Mr. LANE. Then do I take it, Senator Watkins, that House Bill No. 397 and House Bill No. 411 are dead in your committee?

Mr. WATKINS. Mr. President, I would not say that. It is entirely up to the committee as to the time when they will be ready to bring the bills up.

Mr. LANE. Since the gentleman says that he does not know when he is going to hold a committee meeting and he also answered me that the bills are not dead, I wonder if the gentleman will advise as to what action he plans to take, Mr. President.

Mr. WATKINS. I did not understand his question, Mr. President.

The PRESIDENT. Will the gentleman from Washington restate his question?

Mr. LANE. In answer to my interrogation, the gentleman from Delaware stated that he did not know when he was going to hold a committee meeting. He also answered, in further interrogation, that the bills were not dead. Therefore, I am wondering, and I asked the gentleman the question, what he plans to do with the bills? What is the existence of the bills? Are they living, or dead? what do you plan to do?

Mr. WATKINS. Mr. President, at this time I have not determined what I am going to do with the bills.

Mr. LANE. I thank the gentleman, Mr. President.

Mr. President and Members of the Senate, my interrogation of Senator Watkins was not on a personal basis. I just wanted to bring to the attention of the Members of this Senate. and the public as a whole, the method of legislating here in Harrisburg where a chairman of a committee can arbitrarily, if I may use the words, "kill off" any legislation which is referred to his committee. How in the world do we expect or plan to legislate intelligently for the people of Pennsylvania if we permit such conditions to continue to exist?

Here we are, men elected by the people of Pennsylvania to do a job for the people of Pennsylvania. One committee chairman, one individual, with that power can kill off the action of the House, can kill off the wishes of the Membership of the Senate, and can ignore important legislation which might jeopardize the lives of the public as well as those men who work upon the railroads.

It seems to me that at the very least we should have a hearing. We should have the right in committee to vote "yes" or "no."

Mr. President, Senator Watkins stated that he did not have the bills which were referred to him on May 10th so that we could not vote on them because they were not being considered. However, they take up a bunch

mmyrot which is not of interest to the people of Pennlvania and leave this important legislation lie in committee until such a time as it is too late to consider it. iat has been the favorite practice here for years, and is time the public knows what is going on. I want the ublic to know that a chairman of a committee in the enate of Pennsylvania ignores the wishes of the mem- rship of the committee, and not just the wishes of emocrats either, Mr. President.

I do not like to take the floor and berate and talk like is, but I feel that I would be remiss in my duties as a ember of this Senate if I did not let the people of nnsylvania know what is going on. I am not the type ho is picayune and tries to pick out little flaws, but I ant you to know that I am pretty well burned up at e activities today in this committee when they ignored mething which the people want. The House of Repre- ntatives wanted it and Republicans voted for it, too. ie reason the bills were not considered today was cause the chairman was afraid they would be reported t because there was Republican support for this legis- tion. That is the reason they were not considered. I do t expect we will ever pass them.

Actually, Mr. President, I thought that when these bills ere referred to this committee we would at least get hearing. However, it seems the Republicans are heeding e calling of their master. They heed the call of their aster, but they are afraid to call up bills for the interest, elfare and safety of the people of Pennsylvania.

Mr. MAHANY. Mr. President, I think Senator Lane has en here long enough to know what the powers of the airmen of committees are. For years, the chairmen have d certain powers to either consider a bill or not con- ler a bill when they hold a committee meeting. That nothing new; that has been going on here for years. nder our rules, I do not think we can do much about it. ie chairman is given possession of the bill, and he has e right to call a meeting of his committee or not call meeting. At that meeting of the committee, he has the ll power to either consider that bill or not consider it.

That procedure is being followed over in the House. understand that at meeting over in the House, a Member the committee upbraided the chairman of the committee r even considering a bill that was Republican-sponsored. e said that before they considered bills, they should rtainly see to it that they had Democratic sponsors. ie chairman of the committee was really upbraided. If u want names, I can give them to you later on. I do t want to bring out here before the Senate something nich occurred in the House. I do not want to go into tail and give names in the Senate of Members of the ouse Committees who were guilty of those statements.

Certainly, Mr. President, if Senator Lane wants to find t how dictatorial a committee chairman can get, all has to do is go over to the other side of the Capitol ilding, and he will find out in the House that they e much more dictatorial than they are in the Senate.

Mr. LANE. Mr. President, the Majority Leader has ought out what might have been an isolated case. I do t know how the House operates. I have not been in e House since 1945. However, I do say this here and w. Here in this Senate, where each and every Member presents at least 200,000 people, we should act as adults d grown men. We should, at least, respect the wishes of the membership of the committee and, at least, consider the legislation. I have been defeated many times in committee. I do not come out and squawk about it. However, all we wanted was a fair chance, a chance to try to get the bills out.

It may be that the committees in the House are dictatorial; I do not know. I do not know how they operate. Here in this Senate, however, we are supposed to have a little dignity. We are supposed to be experienced men. We are supposed to know our way around on legislation. The least they can do is give us a chance to consider the legislation. That is the point I am trying to make. A dictatorial attitude is all right in some cases, but I would say to you that where a group of Senators are gathered together to consider legislation which is directly concerned with the welfare, the well-being and the safety of the people, it should be gone into. It should be gone into in detail, and if there are any arguments, settle them. If they want to vote it down, vote it down. My gripe is that we do not know when the bills are going to be considered; we do not know when there is going to be another committee meeting. The chairman did not have the bills on hand today, and he could not tell us when he was ever going to have them on hand.

Mr. YOSKO. Mr. President, the people from our respective Districts send us to Harrisburg to legislate. However, we cannot legislate here under the kind of a committee system which functions here in the Senate. I cannot talk about the House because I am not a Member of the House. I agree with Senator Lane when he said it is equivalent to a dictatorship. We may as well abolish the committee system. Although I agree with Senator Mahany that the Chairman has a right to call a meeting when he sees fit, I say that when he does call a meeting, certainly the members of that committee should have the right to call up a bill for consideration. That right has been denied to Members of the Senate this morning. Because it has been denied, I repeat what Senator Lane said, "The committee system functions here under a dictatorship and not under democratic rule." That, Mr. President, is one of the reasons why more than 400 bills, which passed the House, are lying dormant in Senate Committees.

We have been here for almost eleven months. It has cost the taxpayers of Pennsylvania about $3,000,000 to keep us here. What have we done in these eleven months? We have done practically nothing. As I said before, bills which have been introduced in the Senate, and bills which have been passed by the House and referred to the Senate, are lying dormant in committees.

After the last election, Mr. President, which was somewhat disastrous to the Republicans, Senator Mahany made a statement in which he said that the time has come when the Republican Party should divorce its affiliation with big business so that people would not say that the Republican Party was the party of big business. He said that the Republican Party was going to cooperate a little more with labor, with the people who earn their bread and butter by the sweat of their brows. The conduct of the committee chairman this morning was just the opposite from the philosophy Senator Mahany expressed, and one which I though was a pretty good one. I have a considerable number of railroaders in my District and when I get back home, I am going to let them know exactly what happened at the committee meeting this morning.

I understood last Tuesday that these bills would be considered today. I went to the Chairman of the Committee on Law and Order and asked him what time the meeting was going to be held. As a matter of fact, I understood it was a special meeting to consider these and other bills. I, therefore, made it my business to be here at 12:00 o'clock today. I made it my business to be down in the committee meeting room at 12:30 o'clock. The procedure which was outlined by Senator Lane was exactly what took place.

Mr. President, let us take a look at these bills. I am not going to discuss each one of them, but why should there be any reluctance or objection on the part of the committee chairman to considering these bills? One would amend the Penal Code, to remove the possibility of placing railroad employees in double jeopardy. I understand there is a law in existence which provides for proper punishment for violations of the law for railroaders in one Act and the same thing is covered in another Act. This one bill would repeal the provisions of the Penal Code. Another bill would consider the time element in paying wages. I see nothing wrong with that. At least, I think we should consider the bill and report it out here and let everybody consider it. Another bill would staff engines with competent employees for the safety of the traveling public. Another bill would furnish flag protection to all trains occupying the main tracks, a bill which would protect the traveling public. However, the chairman refused to consider any of the bills.

I am just wondering whether Senator No. 51 did not do a pretty good job over the weekend. Of course, he had his bill brought up and reported out. His bill is one which would allow the traveling public to purchase liquor and beer in the Pullman cars on a credit basis. He got his bill out, but all the other bills were refused consideration by the chairman even though they have been in his committee since—one on May 3, another May 9 and another since last June 28. I think it is disgusting. When the chairman of the committee refused to bring up that bill and also a bill which I asked him to bring up, which I introduced on legalizing horse racing, I just got up and left the room and felt like resigning. If those of us who are on the committee cannot bring up or ask to bring up a bill while the committee is in session, then there is no sense in being on the committee

Mr. President, this sort of practice has been in vogue in the Senate since I have been here. I, for one, tried to correct it. During the 1951-1953 Session, I introduced a resolution here that was passed unanimously. This is the way it reads:

"Resolved, That the Joint State Government Commission make a study of the rules and regulations of the United States Congress relative to practices and procedures on the release of bills assigned to committees."

However, the same people who seem to control the committees also control the Joint State Government Commission. Upon inquiry, I learned that even though this resolution was passed unanimously, nothing was done about it. If we are to continue to operate under this kind of a committee system, where someone interested in a bill or someone opposed to a bill can, through one person, prevent that bill from being brought up for consideration, then it is time we do something about it. I am certainly going to let the railroaders in my District know exac what happened this morning.

Mr. WATKINS. Mr. President and gentlemen of t Senate, I certainly take exception to the remarks of S ator Lane, when he wanted to know whether I was, p haps, capable of carrying on the business of the Co mittee on Law and Order. As to whether I was the ri person to be on that committee, I say to you, Mr. Pre dent, that I have always tried to conduct myself as gentleman. I have always tried to use an air of dignity the best that I have known how. Certainly, today was exception.

It seems as though I am completely out of step a that Senator Lane and Senator Yosko are completely step. They are marching together and, according to the everything that I have done is detrimental to the Sena I did talk to Senator Yosko last week, and he asked what time my committee meeting would be held. I t him it would be held at 12:30 o'clock. At no time di ever say to any Democrat that I intended to consider bills about which they talked today; namely, House B No. 411, and the other bill number I do not have on tongue. At no time did I ever say to them that I w holding this committee meeting for that purpose. In fa as I stated under interrogation by Senator Lane, I not know exactly what bills I would consider.

Today, we had a full Democratic membership at committee meeting. Evidently, I am accused by Sena Yosko of talking to the fifty-first Senator, whoever might be. I say to Senator Yosko that if anyone talks any fifty-first or fifty-second Senator, it would lay in lap and not mine. I say honestly, without any equivo tions whatsoever, that nobody guides me and tells what to do in my committee. I think it is an ungentlema act when a man stands on the floor and accuses some of doing just that. I have always carried myself hones and tried to be decent and respectable to my colleag on the Democratic side as well as the Republican side

I have sat all Session, for ten months, and listened some of Senator Yosko's beer barrel polkas which were compelled to listen to here. I find that no one kn anything about government except Senator Yosko. I ne felt that Senator Lane thought that I lacked dignity lacked the ability to operate this Committee on Law Order as its Chairman. I think when Senator Lane thi the thing over, he will admit that I did at no time that I did not intend to bring this bill up. I told him t I was still considering it and I am.

I would like to say, for the information of the gent men of the Senate, that I have looked this bill up an have followed the history of it. I would like to say t identically the same bills which I have in my committ which were passed by the House, are in a Senate Co mittee in the State Capitol right here in Harrisburg, in some other state. These are bills which were sponso by Members from the other side. It is my understand that they were acted upon unfavorably. Why should for one reason, consider bills when Senate bills have ready been brought up and considered and which fr my understanding, about which I think I am correct, not receive approval?

Going back to Senator Lane, Mr. President, I want assure him that I am not faking. I am not string someone along. I would like to call his attention to t

This bill is identical to the Act of 1937, under the Earle Administration, which was declared by the Supreme Court of the State of Pennsylvania to be unconstitutional. I also find that in this very same bill, an amendment was placed in it by the Attorney General of the State of Pennsylvania to try to bring back to life this Act of 1937. I understand also that last Thursday, in Philadelphia, the Supreme Court of the State of Pennsylvania was hearing this amendment to that bill in order to act on its constitutionality. Certainly, I think it is a waste of time to follow up when you know, as a chairman of a committee, that identically the same legislation which is before my committee and which has been declared unconstitutional is being tried again on an amendment submitted by the Attorney General; I think that I should wait and see what the decision might be.

May I say this, too, Mr. President? As far as abusing any Senator, I have never abused any of them. After coming out of the committee meeting today, Mr. Sludden—I think I pronounced his name right, one of the big "H's" on the Hill, so I hear they named them the "Four H's"—came to me and said, "I will certainly spread your record to your people and tell them what you are." I do not like to be threatened by lobbyists. I do not think it is right for any Senator to be molested by lobbyists, and threatened and told what they will do to him back home. My remark to him was this, "Anything that you say about me will be a compliment."

When the steamroller pressure comes on for the bills in my committee, I will say this very candidly. They are bad bills. If I remember right, the Senator who was chairman of this committee during the last Session of the Legislature did not hold a single meeting for the simple reason that the bills were only duplicates. During this Session, the bills are duplicates of the bills which were put in since 1945 and 1947. Yet, I happen to be the one who is a terrible fellow for not considering bills which have already been presented to the Senate and bills which have been declared unconstitutional. For this reason, I must take threats from a big labor leader and do as he tells me. I say to you, Senator Lane and Senator Yosko, that no Number 51 Senator told me what to do, but I was threatened by the labor leaders.

I think, too, Mr. President, it is high time that someone on the Rules Committee of this Senate does something about the discourteous treatment that we have to receive from some people when we do not do exactly what they want us to do. I would also like Senator Yosko to come forth with any proof about anybody owning me. If anyone tells me what to do, I wish Senator Yosko would come forth with the proof. I feel as though Senator Yosko has been ungentlemanly and not one who has the dignity to be a Senator.

I would also like to say that Senator Yosko was very much upset because I did not bring out his racing bill. He blows so hot and so cold that I would not know which wind to take. He has one bill in my committee that does away with sheets which would permit the people to even know what horses are running or what the lines would be. In another bill, he wants to legalize horse racing. The good Senator certainly must know that this body voted down a referendum on horse racing, where they would not even give the people a chance to vote and say whether they wanted horse racing or not. We now should yield to the great Senator from Northampton, Senator Yosko, even though the Senate of Pennsylvania has spoken. He thinks we should bring out his bill and legalize horse racing. There is no consistency to his arguments.

As far as the procedure in the Senate of holding bills is concerned, if this were the truth and I think it is not, regarding myself and other chairmen of committees in the Senate of Pennsylvania, I would certainly like to know what the chairmen considering the Philadelphia Wage Tax Bill, which passed the Senate in the summer, has done. What consideration has he given to it? He is a Democrat. Do the Democrats operate any differently than the Republicans, if what you say is the truth, Senator Yosko? What is Senator Yosko trying to make out of us, a bunch of puppets to listen to your labor leaders and listen to the whims of some more of you? We are only to do exactly what you want us to do or else we are just terrible in obstructing justice and stymying the progress of Pennsylvania.

I say, Mr. President, that I do not intend to lower my dignity. Any committee meeting that I hold, I shall conduct as I have conducted it in the past, which has been with dignity and certainly with honesty and decency. If they wich me to have it any other way, then I suggest that they discharge the Chairman of the Committee on Law and Order and appoint someone else to run it the way they want it run. As long as I am Chairman of the Committee on Law and Order, I intend to run it on an honest basis, and I intend to consider bills that have merit to them and are forth bringing out to the floor for consideration.

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Watkins.

The PRESIDENT. Will the gentleman from Delaware, Mr. Watkins, permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. YOSKO. Senator Watkins, is it or is not a fact that duly elected Members of this Senate who attended a meeting of the Committee on Law and Order of the Senate of Pennsylvania, of which you are the chairman, asked you this morning to consider certain bills dealing with railroad employees and the safety operation of the railroads?

Mr. WATKINS. They did not make themselves as explicit as the gentleman from Northampton is laying it out. However, they did mention railroad bills to me.

Mr. YOSKO. Is the answer "yes" or "no?"

Mr. WATKINS. I think you would take from it a "yes." I said the members were not as explicit as you are trying to make it. They did not define just what they wanted. They did not go over a list of bills. They asked me about the railroad bill. That was the only thing they asked for.

Mr. YOSKO. Is it not a fact that Senator Lane gave you the numbers of the bills and you said that you did not have the bills with you? You said they were at home.

Mr. WATKINS. That is right, Mr. President. Senator Lane gave me two numbers and the bills are at home.

Mr. YOSKO. Is it not a fact that you refused to bring them up for consideration?

Mr. WATKINS. Mr. President, I said that I was not ready to bring them up. That is my prerogative and I stand on it.

Mr. YOSKO. Your answer is that you did refuse to bring them up?

Mr. WATKINS. No, I did not say that I refused to bring them up, Mr. President.

Mr. YOSKO. Did you bring those bills up for consideration this morning?

Mr. WATKINS. I did not.

Mr. YOSKO. And you were asked to bring them up for consideration?

Mr. WATKINS. I was

Mr. YOSKO. I thank the gentleman.

Mr. President, that is the gist of the whole argument. It is upon that premise that we charge here—at least, I do—that the committees are being operated under a dictatorship instead of under a democratic process. Anytime any one member of the committee, even though he be the chairman, can sit tight and refuse, upon request of one or more members, to bring up a bill for consideration, that is exactly what it is. It is dictatorship.

So far as Senator No. 51 is concerned, Mr. President, I will just pass that off by saying that when the committee meeting broke up, he was pretty jubilant back there. That speaks for itself. Actions speak louder than words.

Relative to the bills having any merit, Mr. President, I just want to call your attention to the vote in the House. One bill passed the House by 139 to 39; another 134 to 45; another 107 to 69; another, 111 to 54. The same situation prevailed over in the House last May that Senator Watkins said prevails today. Therefore, his arguments certainly do not have too much merit. There are some pretty smart people over in the House, and certainly I do not believe they would pass bills that were unconstitutional or were now before the courts pending disposition.

Mr. LANE. Mr. President, I did not plan on having a constitutional forum here today or to question the activities or decisions of the Supreme Court of Pennsylvania However, the distinguished Senator from Delaware stated that the bills which are in his commitee, as I understand it, are identically the same bills which were declared unconstitutional by the Supreme Court of Pennsylvania.

I have in my hand a copy of the Supreme Court of Pennsylvania's decision at the May Term of 1940. I also have here a booklet which sets forth the sections which were declared unconsitutional. Now that was the full crew bill. This is the minimum crew bill. If the Chairman of the Committee on Law and Order so desire I will supply him with this information, and he will find that House Bill No. 411 is not identical with the bill which was declared unconstitutional by the Supreme Court of Pennsylvania.

Mr. President, the sections which were declared unconstitutional are Sections 2, 4, 5, 6, 7 and 8 of the full crew bill and not the minimum crew bill.

I take it, from the Senator's recent speech here on the floor, that he may consider this bill. If so, I will be glad to supply him with this information.

I do not like to repeat my request, Mr. President, but I would like to ask the gentleman from Delaware one or two questions, if I may.

The PRESIDENT. Will the gentleman from Delaware, Mr. Watkins, permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. LANE. Senator Watkins, I have here some information which might set you right in your thinking with regard to the unconstitutionality of this bill. If you plan on holding another committee meeting, I will be glad to supply you with this information. Now my question is, do you plan to hold another committee meeting?

Mr. WATKINS. Mr. President, at this time I cannot answer that question. I have no dates in mind at this time as to when I might have another committee meeting.

Mr. LANE. Senator Watkins, would you accept this information, which I can supply you, in regard to your question as to whether or not this legislation is unconstitutional? Will you accept this copy of the Supreme Court of Pennsylvania's decision?

Mr. WATKINS. Mr. President, I would be most happy to accept anything that Senator Lane can give me regarding any bills which might be in my committee that might be helpful. He is also a member of the committee, and I would be happy to discuss with him the merits of any bill that is in my committee at any time. I will accept his literature.

Mr. LANE. Mr. President, I wish to thank the gentleman.

Mr. President, I do not want to prolong this debate, but I do say to you unless this Senate Committee takes some action on this legislation, I think the people of Pennsylvania, as a whole, are going to wonder as to the caliber of the people whom they have elected to represent them. I am very serious when I say to you that I feel this is good legislation. I am not a constitutional lawyer and I feel that the constitutionality of this legislation should be left up to the courts.

Mr. President, our job here is to legislate to the best of our ability, and I feel that the chairman is fully aware of the fact that he made a big mistake today.

Mr. MAHANY. Mr. President, the Republicans on this side of the aisle have been accused by certain Democrats of not considering House Bills. I would like to call their attention to the House Calendar today and compare it with the Senate Calendar. They will find on the Senate Calendar that we have twenty-one House Bills and nineteen Senate Bills, other than those on the Postponed Calendar. I took the time to count the number of House Bills and Senate Bills on the House Calendar, and I find that there are about sixty-five House Bills and less than ten Senate Bills. Certainly, we, in comparison with the House, are keeping up our end, and I think that nobody should have any kick coming on the number of House Bills which the Senate is considering.

I want to make the record a little bit clearer as to my statement which was made about a week or so ago. I think that Senator Yosko misquoted me. What I said at that time was that I thought the Republican Party should make its stand clear that it probably would not go overboard for either industry or labor and would try to consider legislation in the light of what is good for labor and what is good for industry.

Mr. President, I think if Pennsylvania is going to be successful in attracting industries and expanding the industries which are here, certainly we should make our legislative climate in Pennsylvania attractive to both industry and to labor. Both of them must get along together if we are going to continue to be successful in

our economic system and successful in being one of the foremost industrial states of the Union.

Mr. President, we perhaps are a little bit like Pat, who was on his death bed and they sent for the priest. The priest came and said to Pat, as he was giving him his last rites, "Pat, are you ready to renounce the devil and accept the Lord?"

Pat said, "Father, I am ready to accept the Lord but as far as renouncing the devil, I am in no position right now to alienate the affections of anyone."

Mr. DENT. Mr. President, I did not intend to get into this discussion. I do not particularly feel too strong today and I was going to sort of take it easy, but I cannot resist following the eminent gentleman on the other side who has just told a humorous story.

They tell a story about a poor old Italian fellow who had a job on the railroad at the crossing. It seemed that one evening, toward suppertime, when he was inside the shack having a little lunch, he heard a terrible crash. He ran out, and what had happened was that two trains running on the same track in opposite directions had telescoped. In making his report on the witness stand he was asked, "Tony, tell us in your own words what happened."

'Well," he said, "I was eating my lunch when I hear a whistle blow. Then I listened a minute and I hear another whistle blow. I jump up and go outside with a lantern, but then a big smack come, and one train run into the other one."

He was asked, "Well, what did you do?"

He said, 'I call the superintendent."

The counsel said, "What did you say to the superintendent?"

Tony said, "Mr. Superintendent, this is one h——— of a way to run a railroad."

I think, Mr. President, when you get down to it that, in a few short sentences, pretty well typifies the situation we find ourselves in. To say that Senator Watkins is the only chairman who operates in the fashion that has been condemned here by the group on this side today would be unfair both to him and to ourselves, but to condone that action would be unfair to the people of the Commonwealth.

I do not know whether Senator Watkins has ever been instructed in the duties of a committee chairman in a parliamentary body, but in a parliamentary body a chairman acts as the arbiter. When an argument takes place in his committee or discussions are held, he sees that each person has an opportunity to be heard. It is his duty to take up whatever question that is properly before that committee when a member of the committee, whether he be a minority or majority member, requests it. Your rules clearly state that the committee shall consider the bills that are sent to that committee by the Presiding Officer. Nowhere in the committee rules does it stipulate that the chairman is the sole judge of any legislation which comes before the committee.

Mr. President, are we to assume then, after today's discussion, that every bill that is introduced that is killed in committee without consideration is to be blamed upon the chairman of that committee? Every particular group in Pennsylvania that is interested in legislation can honestly say, after today's discussion, "I cannot blame the members of the Committee; the chairman killed my bill."

Mr. President, I can understand the power of a chairman being such that he could possibly want to take a personal attitude on matters but, if I remember rightly, I was also the chairman of a committee in this group when we were in the majority and as chairman of that committee, Members of this Senate who served with me, and I can name them, could never stand upon this floor and say that I ever refused to consider any piece of legislation that they requested consideration for. Over the years, however, there has been a slow deterioration of the committee system. What need is there for committee membership? What use is there in going through the motions of calling committee meetings?

Early in the Session, Mr. President, if you will read back in the record, I was refused membership on all the committees of this Senate at the time that it was properly considered that the minority ought to have one person on each committee in order that he would be on an equal base with the President pro tempore of the majority party who was also a member of all committees. That was not done because there was any vanity attached to it. It was done because it makes for better government. In the parliamentary rules that govern most bodies, a minority always has one member on all committees. That has always been the procedure in a parliamentary body. I understand that some of the chairmen did not like the idea of me being on their committees because they were afraid that I would be able to persuade the membership over and above their wishes.

That is the point which must be taken from all our minds. No chairman in this group is the autocrat of the cabbage patch. He does not own the committee. He is not the sole judge of the contents of legislation, as to whether it is good or bad. He has his right, as every other member of that committee, to vote "yes" or "no." He can vote what he desires and so can any other member.

Mr. President, can you not easily understand what happens to a democratic form of government when we copy the one thing that we detest most in the most despicable form of government as we know it to be on the face of the earth, communism; when there is no free usage of committees, no free action on the part of a member of an elective body; when any person can dictatorially say, "This is all we will consider and I do not like the bill that you are interested in so, therefore, you will not have a chance to vote on it?" It is not a question of one chairman; it is a question of most of the chairmanships. If such a thing is happening in the House it is wrong there, too, but it was not always that way. Even prior to the 1936 adventure here in the Senate, when I was a member of the majority, and after that no chairman that I knew until recent years took the position that he was the sole boss of any committee. If the membership of the committee asked for a bill to be considered, it was considered and if the majority did not like the bill, it stayed in the committee. However, the position being taken today is that the chairman did not like the bills; not just this chairman but practically all the chairmen take the same position.

Mr. President, I do not know how many committee meetings of certain committees have been held, but you

cannot operate this kind of a government without holding committee meetings. I would suggest that what this Senate really needs is a committee on reform within its own group. It needs a committee made up of bipartisan membership to go over and overhaul the antiquated system under which we operate and to come out with perhaps seven or eight standing committees on a permanent year-round basis. We should provide them with secretaries and committee rooms, and allow them to watch the progress of legislation even after it is passed as well as before the passage of such legislation.

For too many years this General Assembly has operated in a vacuum. It comes here for a short period of time, passes a multitude of legislation, goes home and gives to come departments the right to make rules and regulations to suit themselves. We go home ofttimes and are criticized by our constituents because we passed certain legislation. The rules and regulations do not have any bearing whatsoever upon the intent of the Legislature or the contents of the acts that we pass.

So, Mr. President, I say that the whole system is abominable. The whole system is wrong and the people cannot help but get bad legislation.

I do not know whether Senator Watkins intends to call any more meetings or not. I do not know whether the Republican side will tolerate resolutions on our side to try to discharge committees, but I can assure all of the Members of this Senate that unless some action is taken before the adjournment sine die on these important pieces of legislation and others, we shall make an attempt on this side to discharge consideration of the legislation which we feel is part of the program and part of the legislation desired by the people of this great Commonwealth.

Mr. President, I know that the gentleman on the other side, who professes to be a gentleman, Senator Watkins, is a gentleman. I do not know whether it was a slip of tongue or not, but if I heard him right, although I may not have interpreted it right, he made the statement that there are "Four H's" running around on the Hill and I do not know whether he wants to explain it, and I do not expect that he does, but in private conversation would you tell me who and what "Four H's"are?

Mr. WADE. Mr. President, I rise to defend some thirty-four Members of the House, who are also members of the Democratic Party, and who have been delegated as committee chairmen by the Speaker of the House, and in addition to that, some twenty Members of the Senate who belong to the Republican Party.

Mr. President, here this afternoon, by several Members of the Senate, we have had condemnation of the way chairmen handle legislation which is assigned to their committee. I should like to ask anyone in this honorable body if they believe that the 1,876 bills which have been introduced in the House and the 838 bills which have been introduced in the Senate should all become law.

Surely, Mr. President, there is not one of us who would agree that all those bills should be enacated into law. Therefore, we properly have some screening method. One of the best screening methods that has ever been adopted is the method of referring those bills to committee and let those committees consider each bill on its merit.

Senator Lane, who first spoke, according to the Histroy, has introduced some seventy bills in this body during this Session, eighteen of which have been referred to the Highways Committee. Senator Lane has not asked for the consideration of a single one of those eighteen bills in the Highways Committee which has not been considered.

Mr. President, Senator Yosko, from Northampton, has introduced fifty-two bills according to the History, four of which were referred to the Highways Committee and not a single one of those bills has been refused consideration at the request of Senator Yosko, the sponsor.

Mr. President, in the Highways Committee we have been assigned 124 Senate Bills and forty House bills, and I repeat that not a single sponsor has been refused consideration for any of those 164 bills.

Now today, Mr. President, our discussion centers around the consideration of two bills, and at this time I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDENT. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. WADE. I should like to ask Senator Lane if these two bills which he questions, namely House Bill No. 411 and House Bill No. 397, were asked to be considered. Did you inform Chairman Watkins, prior to the meeting, that you should like to have those bills considered?

Mr. LANE. No, I did not, Mr. President, but I went there with the understanding that they would be considered.

Mr. WADE. That is the answer to the question. Thank you, Mr. President.

Secondly, I would like to ask whether you secured copies of those bills, which you could very easily do, and took them to the committee meeting?

Mr. LANE. Yes, Mr. President, we had copies at that time.

Mr. WADE. Did you have copies for each member of the committee in attendance?

Mr. LANE. No, I did not. I only had copies for myself.

Mr. WADE. Did you present your copy to the chariman of the committee?

Mr. LANE. Mr. President, the chairman refused to consider the bills.

Mr. WADE. I did not ask that, Mr. President. I asked whether you presented your copy, which you said you had in your possession, to the chairman of the committee?

Mr. LANE. No, I did not, but he would not consider them anyway.

Mr. WADE. Thank you very much, Mr. President. That is all for Senator Lane.

Mr. President, I desire to interrogate the gentleman from Northampton, Senator Yosko.

The PRESIDENT. Will the gentleman from Northampton, Mr. Yosko, permit himself to be interrogated?

Mr. YOSKO. I will, Mr. President.

Mr. WADE. May I ask you, Senator Yosko, whether you informed chairman Watkins that you would like to have House Bill No. 411 and House Bill No. 397 considered prior to the meeting?

Mr. YOSKO. I cannot answer that with a "yes" or "No." If you want an answer, I will give you one.

Mr. WADE. I should welcome your answer.

Mr. YOSKO. As I stated before, last Tuesday I was told

that there was to be a meeting of the Committee on Law and Order to consider bills, among which would be these railroad bills, and I asked Senator Watkins whether there was going to be a committee meeting and what time the meeting was going to be held. If my memory serves me correctly, I stated that I understood there was going to be a committee meeting and among others, these railroad bills would come up for consideration. Senator Watkins told me that the meeting would be held at 12:30.

Mr. WADE. Do I understand that you did notify chairman Watkins that you would like these bills considered, House Bill No. 411 and House Bill No. 397?

Mr. YOSKO. I did not, but I understood that it was agreed that the bills would be considered. I understood that it was a special meeting because it was called on a Monday, which is very unusual, at 12:30. Since I have been here, we have not had one committee meeting that I know of at 12:30 on a Monday.

Mr. WADE. Mr. President, I understand that the gentleman's answer to the direct question is that he did not notify Senator Watkins, chairman of the committee, that he wanted these two bills considered, is that correct?

Mr. YOSKO. My answer is that I understood that the bills in question, which were argued here today, would be among those considered.

Mr. WADE. Mr. President, as mush as I regret to do so, I must assume that the gentleman is answering in the negative although he has not clearly done so.

Mr. YOSKO. The answer is "no," with the qualification that it was my understanding that these bills, among others, would be considered at this meeting.

Mr. WADE. Mr. President, I highly respect the gentleman, but I say that that answer is very evasive.

I would like to ask you, Senator Yosko, whether you brought copies of House Bill No. 411 and House Bill No. 397 to the committee meeting, so that all the members of the committee would have that bill for consideration?

Mr. YOSKO. I had the data, plus a letter explaining the merits of each bill with me.

Mr. WADE. I repeat the question. Did you have the copies of those bills in your possession at the committee meeting?

Mr. YOSKO. I read the bills and briefed them, and I had a brief on each bill with me.

Mr. WADE. I repeat, Mr. President, that in my judgment the gentleman is carefully avoiding the question. I thank him for his answers, evasive as they were.

Mr. President, may I conclude by saying that this clearly proves to me that these gentlemen who have spoken, including Senator Dent, falsely accuse the chairman of this committee? He has complied with the requests of his committee, he has held in proper order and form his committee meeting, and these gentlemen have failed to tell him of their wishes and desires prior to the committee meeting. If you are going to do that to the Chairman of the Highways Committee, you would have the privilege of bringing some 164 bills, unbeknown to the chairman, before the committee without any prior notice.

Mr. LANE. Mr. President, Senator Wade's speech convinces me that he certainly is confused. Let me say to Senator Wade that I not only asked the chairman to consider House Bill No. 397 and House Bill No. 411, but I also read to him the subject matter contained in the bills. Here is a brief analysis of the legislation which I read in the committee meeting to the committee chairman.

Therefore, when you get up on this floor and make a statement that we did not make the proper effort, at least that I did not, Senator Wade, I think you are badly confused.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. DENT. Will you ask me the same questions that you asked these two gentlemen?

Mr. WADE. Mr. President, may I first ask the gentleman whether his is a member of the committee?

Mr. DENT. Yes, he is by accident of death. A gentleman on my side died and accidentally I got on the committee.

Mr. WADE. I am glad you are a member of the Committee, but I am sorry he had to obtain that position by that method. May I ask you, even though it is your interrogation, whether you were in attendance this morning.

Mr. DENT. Yes, sir; ask me the questions that you asked the other gentlemen and I will give you the answers.

Mr. WADE. Senator Dent, you were in attendance this morning, I understand. Did you notify Senator Watkins prior to the meeting?

Mr. DENT. It was at my request that the meeting was held.

Mr. WADE. Good, I am glad you prompted our chairman. I repeat, Mr. President, at his request, I am asking Senator Dent whether he notified Chairman Watkins prior to the meeting that he would like to have House Bill No. 411 and House Bill No. 397 considered.

Mr. DENT. And two other bills considered at the same time; yes, sir.

Mr. WADE. I am not talking about any others.

Mr. DENT. Oh, yes, there were four bills in the railroad package, and I asked that they all be considered. I sent telegrams and letters to my Members on this side who are on that committee, asking them to be in attendance. I asked them to meet me at 1200 o'clock in my office so that I could brief them on the contents to the best of my ability, which I admit is limited, but they were all briefed. I had copies of the bill, in order to anticipate your next question.

Mr. WADE. Did you have copies of the bills at the committee meeting?

Mr. DENT. Oh, yes.

Mr. WADE. That is fine. I compliment the gentleman on his foresightedness.

Mr. DENT. Thank you, and the next time you accuse me of charging somebody falsely make sure of your facts, please.

Mr. YOSKO. Mr. President, I just want to make one observation. When Senator Lane just named the bills by number, the chairman of the committee said, 'I do not have them, they are at home," so he must have known or must have had advance notice that these bills would be called up for consideration.

May I add, too, Mr. President, that I think it is the duty

of every committee chairman to have every bill which is referred to his committee on file in the committee room? If you go into the committee rooms of the Senate, you will find filing cabinets there and I am assuming that they were bought and placed there for a purpose, the purpose being to file bills that you, as the Presiding Officer of the Senate, refer to a committee chairman.

I do not think it comes in good grace for a committee chairman to say, "I will not bring those bills up. I do not have them here. They are at home, and I could not bring them up if I would want to." That is contrary to all the rules and regulations of this Senate, or should be. I think every committee chairman should be ready, willing and have at his fingertips any bill that is introduced in this Senate, or any bill that passes the House and is referred to this Senate and assigned to a committee so that if a committee member asks that a bill be brought up, the chairman of the committee will have that bill at his fingertips in the filing cabinet and not at home.

HOUSE BILL No. 834 TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table House Bill No. 834, Printer's No. 1036, entitled:

An Act amending the act of May 9, 1949 (P. L. 927) entitled "An act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local" changing fees commissions mileage and other costs chargeable by sheriffs.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 834

Mr. MAHANY. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 54, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Bloomsburg State Teachers College and for the Commonwealth's share of expenses incurred by the town of Bloomsburg in connection therewith.

Which was committed to the Committee on Appropriations.

House Bill No. 200, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase of fire fighting equipment for the Scotland School for Veterans' Children.

Which was committed to the Committee on Appropriations.

House Bill No. 320, entitled:

An Act making an appropriation to the Department of Commerce for the advertisement and advancement of Pennsylvania as a resort and travel area.

Which was committed to the Committee on Appropriations.

House Bill No. 514, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase, certain lands adjacent to the Pennsylvania Farm Museum of Landis Valley property, providing for the control, maintenance and improvement thereof, and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 647, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951," extending liability for the costs of care of patients, in certain cases; and the right of recovery thereof.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 773, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto; and making an appropriation.

Which was committed to the Committee on Mines and Mining.

House Bill No. 887, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Shippensburg State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Shippensburg in connection therewith.

Which was committed to the Committee on Appropriations.

House Bill No. 905, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania, to provide improved facilities for female juveniles committed by the courts of the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 914, entitled:

An Act reenacting and amending the act of May 23, 1949 (P. L. 1661), entitled, as amended, "An act to impose a tax on real estate for public school purposes in

hool districts of the first class for current expenses," xtending the act to include school districts of the first ass A.

Which was committed to the Committee on Education.

House Bill No. 917, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), titled "Public School Code of 1949," providing for equal imbursement to school districts of the first class A and st class.

Which was committed to the Committee on Education.

House Bill No. 1280, entitled:

An Act authorizing the Department of Property and ıpplies, with the approval of the Governor, to acquire ven tracks of land in the Borough of Edinboro, Erie ounty, for use of the Edinboro State Teachers' College; d making an appropriation.

Which was committed to the Committee on State Gov-nment.

House Bill No. 1295, entitled:

An Act making an appropriation to the Department of griculture to assist the Commonwealth's 4-H Club and ıture Farmers of America dairy show program by pay-g the expenses of holding the six existing 4-H Dairy ub and F. F. A. district dairy shows and in addition State Wide show to be held in the Fall of the year as eliminary to the State Farm Show.

Which was committed to the Committee on Agriculture.

House Bill No. 1340, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), titled "Public School Code of 1949," further providing r payments to school districts on account of pupil trans-rtation.

Which was committed to the Committee on Education.

House Bill No. 1464, entitled:

An Act directing the Department of Highways to trans-r the Searight Toll House to the Pennsylvania Historical d Museum Commission providing for the repair of the ll House; authorizing the Department of Property and ıpplies to convey the Toll House to the Westmoreland-yette Historical Society; and making an appropriation.

Which was committed to the Committee on State Gov-nment.

House Bill No. 1535, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) titled "Public School Code of 1949," increasing budget imates relating to travel costs of county and assistant unty superintendents and of supervisors of special edu-tion.

Which was committed to the Committee on Education.

House Bill No. 1543, entitled:

An Act relating to the protection of forests, and the ntrol of forest pests; declaring forest pests to be a public isance; conferring powers and imposing duties on the partment of Forests and Waters; providing for pen-ies; making an appropriation; and repealing inconsist-t laws.

Which was committed to the Committee on Forests and ıters, Game and Fish.

House Bill No. 1573, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Edinboro State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Edinboro in connection therewith.

Which was committed to the Committee on Appropriations.

House Bill No. 1584, entitled:

An Act making an appropriation to the Department of Agriculture for the purpose of research to be conducted at the Pennsylvania State Agricultural Experiment Station at University Park, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1592, entitled:

An Act amending the act of May 14, 1907 (P. L. 197), entitled "An act to provide for the establishing and maintenance of one or more sanatoria or colonies, in Pennsylvania, for the free care and treatment of indigent persons suffering from tuberculosis, and making an appropriation therefor," extending its provisions to all persons suffering or suspected of suffering from tuberculosis.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1688, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction of armory facilities, under certain conditions.

Which was committed to the Committee on Appropriations.

House Bill No. 1689, entitled:

An Act making an appropriation to the Department of Property and Supplies for repair and improvements to the Pennsylvania Soldiers' and Sailors' Home at Erie.

Which was committed to the Committee on Appropriations.

House Bill No. 1699, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire land on which is located the Old Bradford House in the City of Washington, Washington County; providing for its repair; authorizing the conveyance thereof to the Washington County Historical Society; and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1727, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purchase of strip mines and adjacent areas and mineral rights on lands under the jurisdiction of the department.

Which was committed to the Committee on Appropriations.

House Bill No. 1728, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase and installation of equipment for the Commonwealth Cafeteria and expenses incident thereto.

Which was committed to the Committee on Appropriations.

House Bill No. 1732, entitled:

An Act lapsing unexpended and unencumbered balances of certain appropriations from the Motor License Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1733, entitled:

An Act amending the act of September 29, 1951 (P. L. 1652) entitled "An act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on lands heretofore or about to be conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said lands and building to the Mercy-Douglass Hospital" clarifying the word hospital

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1834, entitled:

An Act making an appropriation to the House of Representatives of the General Assembly for the payment of mileage of members and incidental expenses for the balance of the legislative session of 1955.

Which was committed to the Committee on Appropriations.

BILL SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 1105, entitled:

An Act providing for acceptance as a donation of a building known as Patients Store and Library, at the Norristown State Hospital; this structure to be owned and maintained by the Commonwealth as a part of the Norristown State Hospital.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

BILL INTRODUCED AND REFERRED

Mr. PROPERT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. PROPERT, McGINNIS, MULLIN and WATKINS read in place and presented to the Chair Senate Bill No. 866, entitled:

An Act to further amend section nine hundred two of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "The Vehicle Code," by changing the total maximum length of certain vehicles.

Which was committed to the Committee on Highways.

SENATE CONCURRENT RESOLUTIONS

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution which was twice read, considered and agreed to:

In the Senate, November 21, 1955.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week it reconvene Monday, November 28, 1955, at 3:30 o'clock, P. M., E.S.T., and when the House of Representatives adjourns this week it reconvene Monday, November 28, 1955, at a time to be fixed by the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

DESIGNATING THE WEEK OF MAY 12 IN EACH YEAR AS PENNSYLVANIA NURSE WEEK

Messrs. BANE, DENT, MAHANY, TAYLOR and LANE offered the following resolution which was twice read considered and agreed to:

In the Senate, November 21, 1955.

Whereas, The nursing profession plays a vital role in the health care of the Commonwealth of Pennsylvania and

Whereas, A continued renewal and extension of its ranks through the attraction of young people to the profession is of the first importance to the Commonwealth's future health and welfare; and

Whereas, There are many problems facing the nursing profession which can only be solved through the aid of an informed and sympathetic public; and

Whereas, It is proper and fitting that public attention and recognition should be focused on the great contributions, past and present, that the nursing profession in all its branches has made to Pennsylvania's welfare and security; therefore, be it

Resolved (The House of Representatives concurring), That the General Assembly designate the week of May 12 in each year as Pennsylvania Nurse Week, in honor of the nurses of the state and in recognition of the vitally important service they have faithfully rendered in the promotion of health and welfare. The Governor is authorized and requested to issue annually a proclamation calling upon all the people of the Commonwealth to cooperate in the observance of such week.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I note by the public press that my good friend, Senator Dent, is aspiring to be the Democratic candidate for the United States Senate. I want him to know that due to the long affiliation which he and I have had, and he and all the Republican Members of the Senate have had, although we may not be able to do a whole lot for him in the General Election, that in the primaries we hope he wins.

If we can do anything to help him win the primary race for the United States Senate, we will be happy to do it. All he will have to do is to call on us.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I would indeed be an ungrateful person if I did not rise to thank the spokesman for the other side, and for their generous offer of help. I might assure them that if they can help me get through the primary, I will not need any help in the general.

PERMISSION TO ADDRESS SENATE

Mr. MALLERY asked and obtained unanimous consent to address the Senate

Mr. MALLERY. Mr. President, I read with interest the resolution offered by our colleague, Senator Bane, and others, on nurses. It aroused my curiosity as to what happened to the practical nurses bill which was introduced by Senator Mahany, Senator Dent, Senator Pechan, Senator Bane and Senator Schmidt, and for the passage of which Senator Bane and I labored to exhaustion, let us say, and I find that it has never passed. It has gone over, and over and over in the House.

I do not know what we could do to hasten the enactment of that bill, but I think it has a longer history than any bill which has been introduced in the Legislature. I hope that my remarks might be conveyed to the House, and I do hope that they will pass that bill.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Rose D. Komarinski, R. D. 1, New Florence, Westmoreland County, for appointment as Justice of the Peace in and for the Township of St. Clair, Westmoreland County, until the first Monday of January 1956, vice Joseph Komarinski, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Albert G. Diehl, Sr., Box 222, Penn, Westmoreland County, for appointment as Justice of the Peace in and for the Township of Hempfield, Westmoreland County, until the first Monday of January 1956, vice John H. Silvis, deceased.

GEORGE M. LEADER.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph J. Alonzo, 1712 Penn Avenue, Jeannette, Westmoreland County, for appointment as Alderman in and for the Fourth Ward of the City of Jeannette, Westmoreland County, to serve until the first Monday of January 1956, vice Alfred S. Petrill, resigned.

GEORGE M. LEADER.

MEMBERS OF FRANKLIN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Franklin County Board of Assistance:

Mrs. Corynn W. Ervin (Dem.), 115 Myrtle Avenue, Waynesboro, to serve until December 31, 1957. (Reappointment).

Mrs. Marie P. Middour (Dem). R. D. 4, Waynesboro, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Margaret G. Welty, Waynesboro, resigned.

Miss Emilie F. Reisner (Dem.), 203 South Main Street, Chambersburg, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Mary Elizabeth G. Glen, Chambersburg, whose term expired.

Emory J. Middour, Jr. (Dem.) R. D. 3, Greencastle, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Edwin D. Strite, Jr., Esq., Chambersburg, whose term expired.

Joseph W. Spangler (Dem.), 49 West Commerce Street, Chambersburg, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice J. Raymond Myers, Mercersburg, whose term expired.

Mrs. Kathleen W. Shoop (Dem.), Richmond Furnace, to serve until December 31, 1956, and until her successor is duly appointed and qualified, vice Mrs. Janet Ritchey, Greencastle, whose term expired.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 12, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick Wm. McGuire, 142 Fern Street, Freeland, Luzerne County, for appointment as Justice of the Peace in and for the Township of Foster, Luzerne County, to serve until the first Monday of January 1956, vice Andrew Holled, resigned.

GEORGE M. LEADER.

MEMBER OF THE DELAWARE RIVER STUDY COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice K. Goddard, Secretary of Forests and Waters, State College, Centre County, for appointment as a member of the Delaware River Study Commission, to serve until terminated.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Philadelphia State Hospital, for the term of four years and until their successors are appointed and qualified:

Philip Davidoff, 5625 North 10th Street, Philadelphia, Philadelphia County, vice Dr. H. Clayton Moyer, deceased.

Hirsh W. Stalberg, 5672 Lebanon Avenue, Philadelphia, Philadelphia County, vice William W. Bodine, Villa Nova, resigned.

Frank C. Cleary, 3246 Cottman Street, Philadelphia, Philadelphia County, vice Benjamin H. Freeman, Narberth, resigned.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elsie B. Ganz, Summit Lawn, Allentown, Lehigh County, for reappointment as a member of the Board of Trustees of Allentown State Hospital, for the term of four years and until her successor is appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE SULLIVAN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Sullivan County Board of Assistance:

Stephen Chervak (Dem.), Mildred, to serve until December 31, 1957, and until his successor is duly appointed and qualified. (Reappointment).

Vell C. Holcombe (Rep.), Dushore, to serve until December 31, 1956, and until his successor is duly appointed and qualified. (Reappointment).

Mrs. Juanita Burnasky (Dem.), Box 77, Lopez, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Miss Anne E. Yarosh, Lopez, whose term expired.

Roscoe Burgess (Rep.) R. D. 1 Forksville to serve until December 31, 1955 and until his successor is duly appointed and qualified vice Mrs. Susan Morgan, Shunk, whose term expired.

Frank Rohe (Dem.), Dushore, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Frank J. Bendinsky, Mildred, whose term expired.

Mrs. Gladys Hallabuk (Dem.), Box 74, Muncy Street, Laporte, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Harry Haywood, Eagles Mere, resigned.

Fred D. Starr (Rep.), Muncy Valley, to serve until December 31, 1956, and until his successor is duly appointed and qualified, vice Mrs. Marie Kanally, Hillsgrove, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE CARBON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. Joseph Engler, Esq. (Dem.), 307 Center Street, Jim Thorpe, Carbon County, for reappointment as a member of the Carbon County Board of Assistance, to serve until December 31, 1957, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of County Boards of Assistance:

CUMBERLAND COUNTY

Arthur R. Burkhart (Republican), Shippensburg, from January 1, 1955, until December 31, 1957, and until his successor is duly appointed and qualified.

JUNIATA COUNTY

Reverend Elmer James Davis (Republican), Mifflintown, to serve until December 31, 1957, and until his successor is duly appointed and qualified, vice Mrs. Helen Guss Lauver, Miffiintown, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Hollidaysburg State Hospital, for the term of four years and until their successors are appointed and qualified:

Homer I. Smith, 809 Penn Street, Hollidaysburg, Blair County, vice Miss Mary G. Kilday, Altoona, resigned.

Rev. J. P. Flynn, Newry, Blair County, vice Charles G. Waple, Tyrone, resigned.

Carl C. Manchester, 1206 Walnut Street, Hollidaysburg, Blair County, vice Mrs. Wilma N. Kerr, Martinsburg, removed from office.

John Horon, 719 East Walton Avenue, Altoona, Blair County, vice George W. Williams, Hollidaysburg, resigned.

William R. Klevans, 915 Franklin Street, Roaring Spring, Blair County, vice Abraham Colbus, Esq., Altoona, resigned.

James E. Blatchford, 1317 Eleventh Avenue, Altoona, Blair County, vice John G. Love, Esq., Bellefonte, resigned.

Robert I. Grove, Main Street, Alexandria, Huntingdon County, vice Robert L. Harpster, Warriors Mark, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gerald L. Lowe, 406 Fairview Avenue, West Fairview, Cumberland County, for appointment as Justice of the Peace in and for the Borough of West Fairview, Cumberland County, to serve until the first Monday of January 1958, vice L. Ira Cargill, resigned.

GEORGE M. LEADER.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph J. Vincent, 95 Lexington Avenue, New York, New York, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New York, for the term of five years, to compute from the date of confirmation.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 10, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sara R. Sattler, 375 Semple Street, Pittsburgh 13, Allegheny County, for appointment as a member of the Board of Trustees of Polk State School, for the term of four years and until her successor is appointed and qualified, vice John L. Gibson, Monessen, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 26, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry M. Heffner, R. D. 1, Fleetwood, Berks County, for appointment as Justice of the Peace in and for the Township of Ruscombmanor, Berks County, to serve until the first Monday of January 1956, vice Paul H. Knabb, resigned.

GEORGE M. LEADER

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Fleming,	McGinnis,	Stevenson,
Barr,	Haluska,	McMenamin,	Stiefel,
Berger,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 457, Printer's No. 248, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 657, entitled:

An Act amending the act of August 22, 1953 (Appropriation Acts 101) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania . . ." increasing the per capita annual maintenance rate of wards of the Commonwealth

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, I do not want to oppose this bill, but I would like to have a little clarification on it. As a matter of fact, I think the Elwyn Training School is entitled to probably a little more money than it is asking for.

If I read this bill correctly, it is a deficiency appropria-

tion. It seems that when the bill was originally passed, during the last biennium, it was set up to take care of 600 wards of the State, at $850 per capita. The records show that this school earned on that basis $996,036.37, which left an amount to be lapsed. The amount to be lapsed was the difference between the $996,036.37 and the $1,020,000.

This bill, as amended, still calls for the maintenance of 600 patients. However, it increases the per capita from $850 to $960. If you multiply the 600 patients by the $960 you will get $1,152,000 which, at least in my opinion, should be the total figure in the bill. Therefore, the Elwyn School, based on its own figures and on the provisions of this bill, is shortchanged by $132,000. I believe it would be even more than that, Mr. President, because I checked with the Department of the Auditor General, and I find that the per capita maintenance cost for patients at Elwyn was $973.12 during the two year period of the 1953-1955 biennium. If this school could get what is really owing to it, it seems to me, if it is proper—somebody else must pass on that—the total in the bill should be increased to at least $1,152,000 so that this school could get the difference between what it earned, which is $996,036.37, and the $1,152,000. I checked with the Secretary of Welfare on this phase, and he was satisfied that this school was entitled to what it earned. As a matter of fact, I think the per capita is being increased for the next biennium.

This, Mr. President, poses another question. Senator Mahany, in the statement he released some time ago on budget reductions totaling, I think, $131,000,000, included $24,000,000 for the Department of Welfare. Of course, even though requested to pinpoint and break down this $24,000,000, to this date he has not done so and neither has anyone else on the other side. Therefore, I, for one, and I am sure others, would like to know whether or not any of this $24,000,000 that the Republicans recommend be reduced from the appropriation to the Department of Welfare would be applicable to any extent to the Elwyn Training School. If it is applicable, I think all of us are entitled to know by what amount and what proportion of that $24,000,000 before we take final action on this bill.

In addition, Mr. President, I do not think it is fair, in view of the controversy on the budget, in particular on the Department of Welfare, that we should pick out one institution, single it out and make an appropriation to give it any funds until such time as we have the whole picture before us, until such time as we settle the total appropriation to the Department of Welfare. This particular appropriation is to the Department of Welfare and it is funneled on to the Elwyn Training School. I understand it is a good school, and it is taking good care of a group of unfortunates, mentally retarded, and I think they are setting aside this week as the week to solicit funds to help finance a program for mentally retarded children throughout Pennsylvania.

Therefore, Mr. President, I am not opposing the bill, but I do think that there should be some reconciliation between the number of patients the school is taking care of, the per capita cost and the total figure that the school should be entitled to. According to my mathematical computations and that of others, there is a discrepancy which I believe could be adjusted through an amendment.

BILL OVER IN ORDER

Mr. YOSKO. For that reason, Mr. President, I ask unanimous consent that Senate Bill No. 657, Printer's No. 278, on final passage, go over in its order so that the bill can be discussed with the sponsor as well as the Secretary of Welfare, the Budget Bureau and, perhaps, the superintendent of the institution to make sure that the Commonwealth reimburses this school for the full amount to which it is entitled.

The PRESIDENT. Are there objections?

Mr. WATKINS. Mr. President, I have no objection to the bill going over. I can agree with the Senator's figures that, in other words, Elwyn Training School has not been fully paid by the State of Pennsylvania. I do not agree with him, though, that there is any reason why we should hold $23,963.63 that is in this fund to pay Elwyn. I cannot understand why we cannot go on and pay them this $23,963.63. However, if he would like to hold it over to discuss it, perhaps, tomorrow with me I will agree. However, I want this bill to move along because they need the money. They are State wards and Senator Yosko admits it is a good school. I say that it is the best. We think it is being operated properly.

I would be happy to let the bill go over today, but I certainly will expect Senator Yosko to find time tomorrow to sit down and discuss this matter with me so we can go on with this bill.

Mr. MAHANY. Mr. President, I want to take this opportunity to call Senator Yosko's attention to the fact that, I believe, about a week ago today, he used up about an hour of our time and a lot of space in the Legislative Journal giving us the business because we had not gotten out appropriations for a couple of hospitals in which he was interested. Today, he tells us that he does not believe that we should act on any appropriations for any institutions until we get them all over here and then act on them together.

Mr. LANE. Mr. President, I just want to call to the attention of the Majority Leader, and the gentleman from Delaware, Senator Watkins, that we have information that $29,000 has not been lapsed as far as this appropriation is concerned.

I think that the reason the bill should go over in order is to iron this out tomorrow. I wish to assure the other side that I am for this legislation, but we want to have our figures correct.

Mr. YOSKO. Mr. President, I just want to say to Senator Mahany that I was talking about medical-surgical hospitals and there are a group of them. I was talking about all of them but, in particular, those in my District. The Elwyn Training School happens to be a private school that the Commonwealth assigns patients to for custodial care and treatment. However, what I said last week still holds. I certainly hope that the medical-surgical hospitals will be taken care of for, at least, the first quarterly payment which was due them as of October 31, 1955.

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from Northampton, Senator Yosko.

The PRESIDENT. Will the gentleman from Northampton, Mr. Yosko, permit himself to be interrogated?

Mr. YOSKO. I will, Mr. President.

Mr. MAHANY. Mr. President, I would like to ask Senator Yosko if he was referring to hospitals such as

the Titusville Hospital and the Harrisburg Hospital in his effort to obtain money for these various hospitals.

Mr. YOSKO. If the Titusville Hospital or the Harrisburg Hospital—I am assuming that you are talking about medical-surgical hospitals now—come under the category about which I talked, the answer is yes.

Mr. MAHANEY. These are State-aided hospitals. They get a certain appropriation from the State of Pennsylvania. I wondered if you were taking those into consideration in your talk of last week.

Mr. YOSKO. In my talk of last week, I was urging the approval of appropriations for those hospitals so that, at least, the first quarterly payment could be made. My argument then was that if we could not approve an appropriation for the full biennium, we should at least make a partial appropriation to take care of the first or first and second quarters.

May I remind you, Senator Mahany, that regardless of the amount which is appropriated to these medical-surgical State-aided hospitals, they must earn whatever they receive? Auditors go in there at the end of each three months and audit their reports, their records. Whatever they earn, based on the per capita allowed, that much is allocated to them on a quarterly basis. The first quarter, as I said before, was due August 31st and the second quarter will be due at the end of this month.

Mr. MAHANY. One more question, Senator Yosko. I would like to ask you whether you knew, while you were making your speech giving us the business, you might say, for not getting this appropriation bill out, that at that very time, I believe, the House was just introducing the bill in the hopper of the House to set up these appropriations for these hospitals.

Mr. YOSKO. Senator Mahany, my remarks were meant for anybody who was holding up the appropriation. I, in particular, represent Northampton County. There are two of those hospitals there and I introduced appropriation bills to take care of them. So far as the Senate is concerned, I was urging release if those bills from committee as well as action on the entire 187.

Mr. DENT. Mr. President, I was going to suggest that if Senator Watkins, tomorrow morning, will get in touch with the Budget Director, there is a question as to whether or not the $29,000 has been lapsed or not lapsed. If it has not been lapsed, then we will have to take it into consideration on the passage of the act.

Mr. YOSKO. Mr. President. I can answer that now. I checked on the difference between the amount that was earned, and the $1,020,000 has not been lapsed.

The PRESIDENT. There being no objection, Senate Bill No. 657, Printer's No. 278, on final passage, will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 729, as follows:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendments to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section four article two of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 4 Upon adoption of this amendment the General Assembly shall meet at twelve o'clock noon on the first Tuesday of January of the year folowing such adoption and shall meet at such time annually thereafter and at other times when convened by the Governor At regular sessions convening in even-numbered years the General Assembly shall be in session for not more than sixty days and shall not enact any laws except laws raising revenue and laws making appropriations In even-numbered years the General Assembly shall not be convened in special session within thirty days prior to its convening or within thirty days after its adjournment sine die

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I rise not to debate this bill but to make a statement and to do as much as I can not to be misunderstood in my position on this.

I would like to state, first of all, that I am in favor of annual sessions and would support any annual sessions bill that I felt was a decent bill. I feel this bill is not and I feel, for reasons I explained before, while debating the other day on the amendments, that this bill goes some distance in destroying the balance between the Executive and Legislative Branches. I feel it is a radical and revolutionary departure from our constitutional system. I feel it takes away the ability of the Executive Branch to act in crisis, in conjunction with the Legislature.

For that reason, I wish to be recorded as voting "no." However, I hope that before this Session is over, either this bill, as amended by the House, or the bill which now reposes in a Senate committee, will give me the opportunity to vote for a good annual sessions bill.

Mr. WEINER. Mr. President, I would just like to add to Senator Seyler's remarks that we already passed a bill last Session. That bill, in order to meet with the constitutional requirements as set up in the State Constitution, would have to pass this Session also in order for it to take the usual course of events so that annual sessions can become a fact. If we are not interested in having annual sessions and this is merely a token bill, if this bill passes this Session, we will just have to put it through next Session and if anything happens to that, we can go on ad infinitum introducing every Session a new bill.

I would like to present to the committee chairman, who has the bill which we passed last Session and which is reposing in his committee, the thought of why does he not bring this bill out and let us vote on that. If we want annual sessions, then we can pass it through the Senate this time and have it take its usual course so that we can actually have annual sessions and they will become a reality.

Mr. YOSKO. Mr. President, inasmuch as I am convinced that this bill was introduced for purposes of delaying annual sessions and, perhaps, to eliminate annual sessions entirely and for the further reason that I introduced, with the co-sponsorship of my colleague from

Lehigh County, a bill identical to the one which was passed in the 1953 Session, having introduced that bill last February, I must be consistent. For that reason, I, too, desire to be recorded as voting "no" on this particular bill.

Mr. LANE .Mr. President, I am going to be brutally frank. I am going to vote for this bill with the thought in mind that when it gets over to the House, the House will insert into it the amendments I tried to insert into this bill last week. If that is the case, naturally something will be done and perhaps we will eventually have annual sessions, providing the majority in the Senate accepts the House amendments.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. MALLERY. Mr. President, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Blair will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Bane,	Flack,	Mahany,	Silvert,
Barr,	Fleming,	McCreesh,	Stevenson,
Berger,	Haluska,	McGinnis,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Hays,	Mullin,	Wagner,
Chapman,	Kessler,	Peelor,	Watkins,
Dent,	Kopriver, Jr.,	Propert,	Watson,
Derk,	Lane,	Ruth,	Wolfe,
Diehm,	Madigan,	Schmidt,	

NAYS—7

Mallery,	Seyler,	Weiner,	Yosko,
McPherson, Jr.,	Wade,	Whalley,	

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for its concurrence.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, there have been several amendments which have been suggested to House Bill No. 794, Printer's No. 1001. Rather than receive these amendments on the floor of the Senate, I feel that it is to the best interest of all concerned if we have this bill re-referred to the Committee on Rules so that the Members of the Rules Committee, which is composed of both Republicans and Democrats, may go over the various amendments which are suggested. Then we will have the bill reported out within a week in the best possible shape.

Therefore, Mr. President, I move that House Bill No. 794, on third reading, entitled:

An Act amending the act of January 21, 1947 (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Represenatives and Legislative Reference Bureau" changing the title of and compensation of certain Senate and House employes providing for the appointment of additional employes therein and making appropriations.

be re-referred to the Committee on Rules.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1572, as follows:

An Act relating to coal mining well operations and the underground storage of gas except in storage reservoirs excavated in rock formations specifically for storage purposes and the safety of personnel and facilities employed therein prescribing the rights and duties of well operators before during and after the drilling of wells for the production extraction or storage of any gas petroleum or other liquid regulating the underground storage of gas under workable coal seams prescribing the rights and duties of owners and operators of coal mines in relation to wells and underground storage areas granting certain corporations a limited right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas creating the Oil and Gas Division of the Department of Mines and defining its personnel powers and duties providing for hearings and the procedures to be followed therein and imposing duties upon the courts and providing methods for the enforcement of the provisions of this act and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known as the "Gas Operations Well-Drilling Petroleum and Coal Mining Act"

Section 102 Definitions as used in this act

(1) "Coal mine" means those operations in a coal seam which include the excavated and abandoned portions as well as the places actually being worked also all underground workings and shafts slopes tunnels and other ways and openings and all such shafts slopes tunnels and other openings in the course of being sunk or driven together with all roads and facilities connected with them below the surface

(2) "Operating coal mine" means (i) a coal mine which is producing coal or has been in production of coal at any time during the twelve months immediately preceding the date its status is put in question under this act and any worked out or abandoned coal mine connected underground with or contiguous to such operating coal mine as herein defined and (ii) any coal mine to be established or reestablished as an operating coal mine in the future pursuant to subsection (c) of section 303 of this act

(3) "Outside coal boundaries" when used in conjunction with the term "operating coal mine" means the boundaries of the coal acreage assigned to such coal mine and which can be practicably and reasonably expected to be mined through such coal mine

(4) "Workable coal seam" means (i) a coal seam in fact being mined in the area in question under this act by underground methods or (ii) one which in the judgment of the division can be and that it is reasonable to be expected will be mined by underground methods

(5) "Coal operator" means any person as herein defined who proposes to or does operate a coal mine either as owner or lessee

(6) "Well" when used in this act means a bore hole drilled or being drilled for the purpose of or to be used for producing extracting or injecting any gas petroleum or other liquid but excluding bore holes drilled to produce potable water to be used as such

(7) "Division" means the Oil and Gas Division of the Department of Mines

(8) "Owner" means any person as herein defined who

owns manages operates leases controls or possesses any well or coal property

(9) "Well operator" means any person as herein defined who proposes to or does locate drill operate plug recondition or abandon any well as herein defined in cases where a well is used in connection with the underground storage of gas the term "well operator" shall also mean a "storage operator" as hereinafter defined

(10) "Gas" means any natural manufactured or by-product gas or any mixture thereof

(11) "Storage reservoir" means that portion of any subterranean sand or rock stratum or strata into which gas is or may be injected for the purpose of storage or for the purpose of testing whether said stratum is suitable for storage

(12) "Plat" means a map drawing or print accurately drawn to scale showing the proposed or existing location of a well or wells as herein defined

(13) "Casing" means a string or strings of pipe commonly placed in wells drilled for natural gas or petroleum

(14) "Bridge" means an obstruction placed in a well at any specified depth

(15) "Cement" or "cement grout" means hydraulic cement properly mixed with water only

(16) "Linear foot" means a unit of measurement in a straight line on a horizontal plane

(17) "Oil" means the same as the word "petroleum"

(18) "Person" means any individual association partnership or corporation

(19) "Reservoir protective area" means all of that area outside of and surrounding the storage reservoir boundary but within two thousand linear feet thereof

(20) "Retreat mining" means the removal of such coal pillars ribs and stumps as remain after the development mining has been completed in that section of a coal mine

(21) "Pillar" means a solid block of coal surrounded by either active mine workings or a mined out area

(22) "Inactivate" means to shut off all flow of gas from a well by means of a temporary plug or other suitable device or by injecting aquagel or other such equally nonporous material into the well

(23) "Storage operator" means any person as herein defined who proposes to or does operate a storage reservoir either as owner or lessee

Section 103 Exclusions from effect of act nothing contained in this act shall apply to storage of gas or liquids in storage reservoirs excavated in rock formations specifically for storage purposes

Article II

Drilling and Plugging

Section 201 Well Operator's Responsibility Before and During Drilling (a) Before drilling any well which is to pass through any workable coal seam the well operator shall have a plat prepared by a competent engineer (on a form to be furnished by the division) showing the political subdivision and county in which the tract of land upon which the well to be drilled is located the name of the lessor or landowner the name of the owner or operator of all known underlying workable coal seams the acreage in the tract to be drilled the proposed location of the well determined by survey the courses and distances of such location from two or more permanent points or landmarks on said tract the proposed angle and direction of such well if the well is to be deviated substantially from a vertical course and the number or other identification to be given the well indicating the workable coal seams if any underlying said tract which are to be cased off in accordance with section 204 of this act and shall forward by registered mail copies of the plat to the division and the division shall in turn forward by registered mail a copy of said plat to the owner and lessee if any of such coal and every coal operator operating in any of said seams of coal who has the right to file objections under section 202 and who has mapped the same and filed his maps with the Department of Mines as required by law If the well operator submits to the division written approval of the proposed well location by the coal operator or owner of the coal underlying the proposed well location and no objections are raised by the division within ten days or if no such approval has been submitted and no objections are made to such proposed well location within ten days from receipt of such notice by the coal operator or owner or by the division the same shall be filed and become a permanent record of such location subject to inspection at any time by any interested person and the division shall forthwith issue a drilling permit to the well operator and the well operator may proceed with the drilling of the well at the exact location shown on the plat

(b) It shall be the duty of the well operator whose well penetrates one or more workable coal seams to keep a driller's log of such well Such log shall show the character thickness and depth of the formations passed through or encountered in the drilling of such well and show the depth at which all gas oil and water were encountered The log shall show whether the well is productive of gas oil or water the volume or quantity thereof and the initial rock pressure of such well which has been taken for a period of not less than forty-eight hours A copy of this log shall be furnished to the division within thirty days after the completion of the well and it shall be kept on file by the division

Section 202 Drilling Permit Agreed Location of Wells Docket of Proceedings (a) In case any well location referred to in subsection (a) of section 201 is made so that the well when drilled will penetrate anywhere within the outside coal boundaries of any operating coal mine or coal mine already projected and platted but not yet being operated or within one thousand linear feet beyond such boundaries and the well when drilled or the pillar of coal about the well will in the opinion of the coal owner or operator unduly interfere with or endanger such mine then the coal owner or operator affected shall have the right to file objections in accordance with subsection (h) of section 501 to such proposed location within ten days of the receipt by the coal operator of the plat provided for in subsection (a) of section 201 An alternative location at which the proposed well could be drilled to overcome such objections shall if possible be indicated If no such objections to the proposed location are filed or if none are raised by the division within ten days after receipt of the plat by the coal operator or owner or if written approval by the coal operator or owner of the location is filed with the division and no ojections are raised by the division within ten days the division shall forthwith issue to the well operator a drilling permit authorizing the well operator to drill at such location

(b) If any objections are filed by any coal operator or owner or are made by the division the division shall fix a time and place for a conference in accordance with section 502 not more than ten days from the date of the service of such objections on the well operator at which conference the well operator and such coal operators or owners as are present or represented shall consider the objections and attempt to agree upon a location If they fail to agree upon a location the division shall direct that a hearing be held within five days of such conference in accordance with section 502 and after such hearing shall by an appropriate order determine a location on such tract of land as near to the original location as possible where in the judgment of the division the well can be safely drilled without unduly interfering with or endangering such mine Such new location as agreed upon by said parties or as determined by the division shall be indicated on the plat on file with the division and shall become a permanent record whereupon the division shall promptly issue a drilling permit authorizing the well operator to drill at the location agreed upon by the parties or as determined by the division

(c) Within one hundred and twenty days after the commencement of drilling operations the coal operator shall accurately locate the well by a closed survey on the same datum as the mine workings or coal boundaries are mapped and file the results of the survey with the division and forward by registered mail a copy to the well operator

(d) No well shall be drilled through a workable coal

seam except in accordance with a permit issued under this section

(e) Drilling permits shall not be required for wells which do not pass through one or more workable coal seams However the well operator shall have a plat prepared in the form and manner prescribed in subsection (a) of section 201 of this act and shall forward such plat along with a driller's log as described in subsection (b) of section 201 by registered mail to the division within thirty days after the completion of the well In cases where more than one well is to be drilled as part of the same development project the well locations may be shown on a plat prepared on a lease or project basis provided that such plat is filed with the division within thirty days after the completion of the first well

Section 203 Coal Operator's Responsibility Upon Approaching Wells Already Drilled or Located (a) Hereafter at any time prior to removing any coal or other underground material or extending the workings in any coal mine within five hundred feet of any oil or gas well of which the coal operator has knowledge or any approved well location of which the coal operator has knowledge the coal operator shall forward by registered mail to or file with the well operator and the division a copy of such relevant part of its maps and plans which it is presently required by law to prepare and file with the Department of Mines showing the pillar which the coal operator proposes to leave in place around each oil or gas well in the projected workings Following the filing of said maps and plans the coal operator may proceed with his mining operations in the manner projected on said maps and plans but he shall not remove any coal or cut any passageway within one hundred fifty feet of any such well or approved well location until a permit has been issued as hereinafter provided If in the opinion of the well operator or the division such plan indicates that the pillar proposed to be left around any such well or approved well location is insufficient in size then the well operator affected shall attempt to agree with the coal operator upon a suitable pillar subject to the approval of the division but failing to agree such well operator may within ten days from receipt by them of such plan file objections in accordance with subsection (h) of section 501 to such proposed plan indicating the size of the pillar to be left with respect to each such well If no objections are filed within said ten day period or if none are raised by the division the division shall forthwith issue a permit to the coal operator reciting the filing of said maps or plans that no objections have been made thereto and that the pillar proposed to be left for each such well is approved in the manner as projected

(b) If any objections are filed by such well operator or are raised by the division the division shall direct that a conference be held in accordance with section 502 within ten days of the filing of such objections At such conference the coal operator and the person who has filed such objections shall attempt to agree upon a proposed plan showing the pillar to be left around each well which will satisfy such objections and be approved by the division and if such plan is agreed upon the division shall forthwith issue to the coal operator a permit reciting the filing of said plan and that the pillar to be left for each such well is approved as agreed upon If no such plan showing the pillar to be left with respect to each well can be agreed upon at such conference the division shall direct that a hearing be held within five days after such conference in accordance with section 502 and after such hearing shall in accordance with the standards set forth in this section and by an appropriate order determine the pillar to be left with respect to each such well In any proceeding under this section the division shall follow as nearly as is possible the original plan filed by the coal operator The division shall not require the coal operator to leave a pillar in excess of one hundred feet in radius except that if it is established that unusual conditions exist requiring the leaving of a larger pillar the division may require a pillar up to but not exceeding one hundred fifty feet in radius The pillar to be left with respect to each well as determined by the division shall be shown on the maps or plans on file with the division as provided in subsection (a) of this section and the division shall thereupon issue to the coal operator a permit approving the pillar to be left for each such well

(c) Whenever a permit shall have been issued by the division under this section approving or requiring a certain plan for the leaving of a pillar of a specified size in the projected workings and it shall thereafter be demonstrated by further mining operations in the area that such a pillar is insufficient in size the well operator shall subject to the approval of the division attempt to agree with the coal operator upon a suitable pillar but failing to agree such well operator or operators may file a petition with the division to review such plan and following the procedure hereinabove in this section prescribed the division may by an appropriate order determine subject to the limitations set forth in this section a different plan showing the pillar to be left thereafter with respect to each such well and an amended permit shall thereupon be issued approving the pillar to be left for each such well

(d) Application may be made at any time to the division by the coal operator to leave a pillar of less size than that shown on the plan filed by him or approved or determined by the division pursuant to the provisions of this section If any such application is filed the division may following the procedure hereinbefore in this section prescribed by an appropriate order determine a different plan showing a pillar of less size with respect to any or all wells covered by such application and an amended permit shall thereupon be issued approving the pillar to be left with respect to each such well

(e) No coal operator shall without the written approval of the division after notice and opportunity for hearing as prescribed in this section remove any coal or cut any passageway so as to leave a pillar of less size with respect to any oil or gas well than shown on a permit or amended permit issued under this section

(f) Nothing in this act shall be construed to require a well operator to pay for any coal pillar required by the act to be left around any well drilled prior to the effective date of this act Nothing contained in this act which may require a coal operator to leave a pillar of coal of a certain size around a well drilled after the effective date of this act shall in any way affect (1) any right which the coal operator would have had prior to the effective date of this act to obtain payment for such coal nor (2) any duty or right which the well operator storage operator or land owner may have had prior to the effective date of this act to pay for or not to pay for such coal

Section 204 Method of Casing Through Coal Seams (a) When a well is drilled through a coal seam in a location from which the coal has been removed the hole shall be drilled at least thirty feet below the coal seam and of a sufficient size to permit the placing of a steel pipe liner not less than ten inches in diameter and of at least one-quarter inch wall thickness the liner shall extend from a point not less than twenty-five feet below the coal seam to a point not less than twenty-five feet above it The bottom end of the liner shall be fastened and sealed to the casing and the casing shall be centrally located within the liner The annular space between said casing and liner shall be filled with aquagel cement or such other equally nonporous material as the division may approve pursuant to an application filed under section 207 The casing shall be raised at least ten feet off the bottom of the hole and cement shall be placed in the well through the casing to a depth of at least twenty feet After the cement has been placed the casing shall be lowered to the bottom of the hole In each case where cement is used to set such liners or casing strings sufficient time shall be allowed for the proper setting of the cement before drilling is resumed The casing string shall be equipped with either an approved packer or casing shoe A liner may be run and cemented as a

eparate string of pipe or such alternate method of pro-ecting the coal seam may be employed as the division ay approve pursuant to an application filed under sec-on 207 Such representative of the division as the deputy ecretary shall have designated and the coal operator hall be given at least seventy-two hours notice by the ell operator when the work described above is to be one

(b) When a well is drilled through two or more coal eams in a location from which the coal has been re-oved such liner shall extend not less than twenty-five eet below the lowest seam penetrated and shall extend o a point not less than twenty-five feet above the high-st such seam In such multiple coal seams in a location rom which the coal has been removed the liner may be un and cemented as a separate string of pipe or such lternate method of protecting the coal seams may be mployed as the division may approve pursuant to an pplication filed under section 207 Such representative f the division as the deputy secretary shall have desig-ated and the coal operator shall be given at least eventy-two hours notice by the well operator when the asing is to be cemented through the coal seam

(c) A well penetrating one or more workable coal eams in a location from which the coal has not been re-oved shall be drilled to such depth and of such size s will permit the placing of casing and packers in the ole at such points and in such manner as will exclude ll oil or gas from the coal seam except such as may e found naturally in the coal seam itself Each string f casing run in the hole shall be provided with a steel asing shoe collar packer or other suitable device firmly xed on the bottom of such string of casing The outer tring of casing run through any workable coal seam hall be of at least one-quarter inch wall thickness and hall be seated at least thirty feet below such coal seam r if run through more than one workable seam then at east thirty feet below the lowest of such coal seams in t least twenty feet of cement aquagel or other such qually nonporous material or such alternate method as he division may approve pursuant to an application filed nder section 207 and such casing string shall extend to he surface The space behind the largest diameter casing xtending through a workable coal seam or seams shall e filled to the extent possible to the surface with cement quagel or such other equally nonporous material or such lternate method as the division may approve pursuant o an application filed under section 207 Such represent-tive of the division as the deputy secretary shall have esignated and the coal operator or owner shall be given t least seventy-two hours notice by the well operator vhen the well is to be cased through such coal seam

(d) In the event that gas is found beneath a workable oal seam before the size of the hole has been reduced packer shall be placed below such coal seam and above he gas horizon and the gas by this means shall be di-erted to the inside of the adjacent string of casing hrough perforations made in such casing and through t shall be passed to the surface without contact with he coal seam Should oil or gas be found between two vorkable seams of coal in a hole of the same diameter rom seam to seam two packers shall be placed with erforations in the casing between them permitting the gas o pass to the surface inside the adjacent casing or the as may be sealed off by cement or by some other nethod approved by the division pursuant to an applica-ion filed under section 207 In either of the cases here pecified the strings of casing shall extend from their eats to the top of the well

(e) In the event that a well becomes commercially roductive of natural gas or petroleum all coal-protecting trings of casing shall remain in place during the life of he well and until such well is properly plugged The nnular space between the various strings of casing adja-ent to workable seams of coal shall be kept open except s provided in subsection (d) of this section and the top nds of all such strings shall be provided with casing eads or such other suitable devices as will permit the passage of gas into the air or into a pipeline and prevent the obstructing or filling of such annular spaces with dirt or debris

Section 205 Notice of Intention to Plug a Well and Filing of Plugging Certificate Prior to the abondonment of any well in an area underlain by a workable coal seam the well operator shall notify the coal operator and the owner of all known workable coal seams to whom notices are required to be given by the well operator under section 201 and such representative of the division as the deputy secretary shall have designated of his intention to plug and abandon any such well and submit a plat (on a form to be furnished by the division) showing the location of the well and fixing the time at which the work of plugging will be commenced which time shall be not less than seventy-two hours after the time when such notice is received in order that their representative may be present at the plugging of the well Such notice may be waived by the division and said coal operator or owner and either of them may likewise waive his right to be present but such waiver shall be in writing and a copy thereof attached to notice of abandonment filed with the division under this section Whether or not such representatives appear the well operator may if he has fully complied with the requirements of this section proceed at the time fixed to plug the well in the manner hereinafter described When such plugging has been completed a certificate shall be prepared (on a form to be furnished by the division) by two experienced and qualified men who participated in the work setting forth the time and manner in which the well was plugged One copy of this certificate shall be mailed to each coal operator or owner to whom notice was given by registered mail and another copy shall be mailed to the division

Section 206 Plugging and Pulling Casing (a) Upon abandoning or ceasing to operate any well in an area not underlain by a workable coal seam the owner or operator thereof shall plug the same in the following manner

The well shall be filled with sand pumpings mud or other equally nonporous material as the division may approve pursuant to an application filed under section 207 from the bottom of the well to a point twenty feet above the top of the lowest stratum bearing or having borne oil gas or water or a permanent bridge shall be anchored thirty feet below the lowest stratum bearing or having borne oil gas or water and from such bridge the well shall be filled with sand pumpings mud or other equally nonporous material as the division may approve pursuant to an application filed under section 207 to a point twenty feet above such stratum at this point there shall be placed a plug of cement or other equally nonporous material to a depth of at least twenty feet which will completely seal the hole a sufficient lapse of time shall be allowed after the introduction of the cement or other material for it to set properly before proceeding Between this sealing plug and a point twenty feet above the next higher stratum bearing or having borne oil gas or water the hole shall be either filled or bridged and filled in the manner just described and at such point there shall be placed another similar plug of cement or other equally nonporous material to a depth of at least twenty feet which will completely seal the hole

In like manner the hole shall be filled and plugged or bridged filled and plugged with reference to each of the strata bearing or having borne oil gas or water Whenever such strata are not widely separated and are free from water they may be grouped and treated as a single horizon and the aforesaid filling and plugging may be performed as though there were but one horizon After plugging all strata bearing or having borne oil gas or water as aforesaid a bridge shall be anchored approximately thirty feet below the water string of casing and there shall be placed another similar plug of cement or other equally nonporus material to a depth of at least ten feet which will completely seal the hole after which said casing may be drawn a final plug shall be anchored approximately ten feet below the bottom of the largest casing in the well and from this point to the surface the

well shall be filled with sand pumpings mud or other equally nonporous material

(b) In an area not underlain by a workable coal seam when it is desired to pull the casing in any well the well may be produced through tubing placed on a packer and after cement has been poured on the packer to a depth of not less than twenty feet and the annular space outside of the tubing and above the cement plug is filled with cement aquagel or other equally nonporous material or such alternate method as the division may approve pursuant to an application filed under section 207 up to the bottom of the smallest water string of casing then the casing or casings may be pulled

Upon the abandonment of such well a plug or bridge shall be placed in the tubing at a point near the depth at which the packer was set and cement placed on top of said plug or bridge to a depth of not less than thirty feet After the tubing has been parted above the plug and pulled a bridge shall then be set at a depth of not less than thirty feet from the surface and the hole completely filled from that point to the surface with sand pumpings mud or other suitable material With the approval of the division pursuant to an application filed under section 207 some other equally effective method of pulling casing or plugging may be used

(c) Upon abandoning or ceasing to operate any well which passes through a workable coal seam the owner or operator of said well shall plug the same in the following manner

The well shall be filled with sand pumpings or other equally non-porous material as the division may approve pursuant to an application filed under section 207 to the top of the lowest stratum bearing or having borne oil gas or water and at such point a suitable type of plug approved by the division shall be placed The space above the plug shall be filled for at least twenty feet with cement or other equally nonporous material as the division may approve pursuant to an application filed under section 207 A sufficient lapse of time shall be allowed after the introduction of the cement or other material for it is to set properly before proceeding All other formations encountered in the well which bear or have borne oil gas or water shall be plugged and filled in the same manner A final plug shall be anchored approximately ten feet below the bottom of the smallest coal protecting string of casing but not less than forty feet below the lowest workable coal seam and the hole above filled with approximately twenty feet of rock or gravel After the inside casing has been drawn there shall be placed on top of the rock or gravel above the final plug a vent pipe at least two inches in diameter with a bell fitting or other suitable device to carry any free gas into the vent pipe The vent pipe shall extend above the surface at least six feet and shall be fitted at the top with a tee and two street ells or similar devices to prevent debris from entering the vent pipe The space surrounding the vent pipe and immediately above the bell fitting or other device shall be filled with at least five feet of sand pumpings or fine gravel and then the space from this point shall be filled with cement to a point not less than twenty-five feet above the highest workable coal seam From this point to the surface the space around the vent pipe shall be filled with sand pumpings or other equally nonporous material In a storage reservoir subject to section 304 the vent pipe shall be maintained in good repair by the storage operator If approved by the division pursuant to an application filed under section 207 an alternative method of plugging and venting may be employed

(d) Upon abandoning or ceasing to operate any well pursuant to this section where any of the strata bearing or having borne oil gas or water in a well has been shot thereby creating cavities which cannot be readily filled in the manner above described the well operator shall use either of the following methods unless he has approval of the division pursuant to an application filed under section 207 to use an alternative method

(1) Should the stratum which has been shot be the lowest one in the well there shall be placed at th nearest suitable point but not less than twenty fe above the stratum a plug of cement or other equal nonporous material to a depth of at least twenty fe which will completely seal the hole a sufficient lap of time shall be allowed after the introduction of th cement or other material for it to set properly befo proceeding In the event however that the shooting h been done above one or more strata bearing or havi borne oil gas or water in the well plugging in th manner specified shall be done at the nearest suitab points to not less than twenty feet below and not le than twenty feet above the stratum shot from a poi immediately above the above mentioned plug the we shall be plugged in accordance with subsection (a) (b or (c) of this section whichever is applicable

(2) When such cavity shall be in the lowest stratu bearing or having borne oil gas or water in the well liner shall be placed which shall extend from not le than twenty feet above to a solid bottom in the stratu in which the shooting has been done In the event hov ever that the shooting has been done above one or mo strata bearing or having borne oil gas or water in th well the liner shall be so placed that it will extend n less than twenty feet above nor less than twenty fe below the stratum in which shooting has been done Fo lowing the placing of the liner in the manner here specifie it shall be completely filled with sand pumpings mu or other equally nonporous material as the division ma approve pursuant to an application filed under section 2 from a point immediately above the top of said lin the well shall be plugged in accordance with subsectio (a) (b) or (c) of the section whichever is applicable

Section 207 Alternative Method (a) Whenever provisio is made in this act by reference to this section for using a alternative method or material in carrying out an obligation imposed by the act the person seeking th authority to use such alternative method or material sha file an application with the division describing such pro posed alternative method or material in reasonable deta Notice of filing of any such application shall be given b registered mail to any coal operator or operators affecte Any such coal operator may within ten days followin such notice file objections to such proposed alternati method or material If no objections are filed within sa ten day period or if none is raised by the division th division shall forthwith issue a permit approving suc proposed alternative method or material

(b) If any such objections are filed by any coal operat or are raised by the division the division shall direct th a conference be held in accordance with section 502 withi ten days following the filing of such objections At suc conference the person seeking approval of the alternati method or material and the person who has filed suc objections shall attempt to agree on such alternati method or material or any modifications thereof and such agreement is reached and approved by the divisio the division shall forthwith issue a permit approving th alternative method or material If no such agreement reached and approved the division shall direct that hearing be held in accordance with section 502 here provided however that if the alternative method material involves a new development in technology technique the division may before such a hearing is he grant such affected parties a period not to exceed nine days to study and evaluate said proposed alternati method or material Following such hearing if the div sion shall find that such proposed alternative method material will furnish adequate protection to the workab coal seams the division shall by order approve such alte native method or material otherwise the division sha deny the said application

Article III

Regulation of Underground Gas Storage Pools in Certain Areas

Section 301 Filing of Maps and Data by Persons Operat ing or Proposing to Operate Gas Storage Reservoirs (a Any person who on the effective date of this act is in

ecting gas into or storing gas in a storage reservoir which nderlies or is within three thousand linear feet of an perating coal mine which is operating in a coal seam that xtends over the storage reservoir or the reservoir protective area shall within sixty days thereafter file with he division a copy of a map and certain data in the orm and manner provided in this subsection

Any person who on the effective date of this act is inecting gas into or storing gas in a storage reservoir vhich is not at such date under or within three thousand inear feet but is less than ten thousand linear feet from n operating coal mine which is operating in a coal seam hat extends over the storage reservoir or the reservoir rotective area shall file such map and data within such ime in excess of sixty days as the division may fix

Any person who after the effective date of this act proposes to inject or store gas in a storage reservoir located s above shall file the required map and data with the ivision not less than six months prior to the starting of ctual injection or storage

The map provided for herein shall be prepared by a ompetent engineer or geologist It shall show the stratum r strata in which the existing or proposed storage eservoir is or is to be located the geogprahic location f the outside boundaries of the said storage reservoir nd the reservoir protective area the location of all nown oil or gas wells which have been drilled into or hrough the storage stratum within the reservoir or within hree thousand linear feet thereof indicating which of nese wells have been or are to be cleaned out and plugged r reconditioned for storage and also indicating the proosed location of all additional wells which are to be rilled within the storage reservoir or within three thouand linear feet thereof

The following information if available shall be furished for all known oil or gas wells which have been rilled into or through the storage stratum within the torage reservoir or within three thousand linear feet nereof name of the operator date drilled total depth depth f production if the well was productive of oil or gas the nitial rock pressure and volume the depths at which all oal seams were encountered and a copy of the driller's og or other similar information At the time of the filing f the aforesaid maps and data such person shall file a etailed statement of what efforts he has made to determine (1) that the wells shown on said map are accurately ocated thereon and (2) that to the best of his knowledge ney are all the oil or gas wells which have ever been rilled into or below the storage stratum within the roposed storage reservoir or within the reservoir protective area This statement shall also include information s to whether or not the initial injection is for testing urposes the maximum pressure at which injection and torage of gas is contemplated and a detailed explanation f the methods to be used or which theretofore have been sed in drilling cleaning out reconditioning and plugging vells in the storage reservoir or within the reservoir rotective area The map and data required to be filed ereunder shall be amended or supplemented semiannually in case any material changes have occurred prooided however that the division may require a storage perator to amend or supplement such map or data at nore frequent intervals if material changes have occurred ustifying such earlier filing

(b) The requirements of this section shall not apply o the operator of an underground gas storage reservoir so ong as said reservoir is located more than ten thousand near feet from an operating coal mine provided however nat such storage operator shall give notice to the divion of the name of each political subdivision and county n which said operator maintains and operates a gas torage reservoir In those political subdivisions and counes where both gas storage reservoirs and coal mines are eing operated the division may request the storage perator to furnish maps showing the geographical locaion and outside boundaries of such storage reservoirs he division shall keep a record of such information and nall promptly notify both the coal operator and the torage operator if it is found that the coal mine and storage reservoir are within ten thousand linear feet of each other

(c) At the time of the filing of the above maps and data and the filing of amended or supplemental maps or data the division shall give written notice of said filing to all persons who may be affected under the provisions of this act by the storage reservoir described in such maps or data Such notices shall contain a description of the boundaries of such storage reservoir When a person operating a coal mine or owning an interest in coal properties which are or may be affected by the storage reservoir requests in writing a copy of any map or data filed with the division such copy shall be furnished by the storage operator

(d) For all purposes of this act the ouside boundaries of a storage reservoir shall be defined by the location of those wells around the periphery of the storage reservoir which had no gas production when drilled in said storage stratum provided however that the boundaries as thus defined shall be originally fixed or subsequently changed where based upon the number and nature of such wells upon the geological and production knowledge of the storage stratum its character permeability and distribution and operating experience it is determined in a conference or hearing under section 502 that modification should be made

Section 302 Filing of Maps and Data by Persons Operating Coal Mines (a) Any person owning or operating a coal mine shall within thirty days from the effective date of this act file with the division a map prepared by a competent engineer showing the outside coal boundaries of the said operating coal mine the existing workings and exhausted areas and the relationship of said boundaries to identifiable surface properties and landmarks Any person who is storing or contemplating the storage of gas in the vicinity of such operating coal mines shall upon written request be furnished a copy of the aforesaid map by the coal operator and such person and the division shall thereafter be informed of any boundary changes at the time such changes occur The division shall keep a record of such information and shall promptly notify both the coal operator and the storage operator if it is found that the coal mine and the storage reservoir are within ten thousand linear feet of each other

(b) Any person owning or operating any coal mine which on the date of the enactment of this act is or which thereafter comes within ten thousand linear feet of a storage reservoir and where the coal seam being operated extends over the storage reservoir or the reservoir protective area shall within forty-five days after he has notice from the division of such fact file with the division and furnish to the person operating such storage reservoir a map in the form hereinabove provided and showing in addition the existing and projected excavations and workings of such operating coal mine for the ensuing eighteen month period and also the location of any oil or gas wells of which said coal operator has knowledge Such person owning or operating said coal mine shall each six months thereafter file with the division and furnish to the person operating such storage reservoir a revised map showing any additional excavations and workings together with the projected excavations and workings for the then ensuing eighteen month period which may be within ten thousand linear feet of said storage reservoir provided however that the division may require a coal operator to file such revised map at more frequent intervals if material changes have occurred justifying such earlier filing Such person owning or operating said coal mine shall also file with the division and furnish the person operating said reservoir prompt notice of any wells which have been cut into together with all available pertinent information

Section 303 Notice by Persons Operating Coal Mines (a) Any person owning or operating a coal mine on the effective date of this act and having knowledge that it overlies or is within two thousand linear feet of a gas storage reservoir shall within thirty days notify the division and the storage operator of such fact

(b) When any person owning or operating a coal mine hereafter expects that within the ensuing nine months

period such coal mine will be extended to a point which will be within two thousand linear feet of any storage reservoir he shall notify the division and the storage operator in writing of such fact

(c) Any person hereafter intending to establish or reestablish an operating coal mine which when established or reestablished will be over a storage reservoir or within two thousand linear feet of a storage reservoir or which upon being established or reestablished may within nine months thereafter be expected to be within two thousand linear feet of a storage reservoir shall notify the division and the storage operator in writing before doing so and such notice shall include the date on which it is intended the operating coal mine will be established or reestablished

Any person who serves such notice of an intention to establish or reestablish an operating coal mine under this subsection without intending in good faith to establish or reestablish such mine shall be liable for continuing damages to any storage operator injured by the serving of such improper notice and shall be guilty of a misdemeanor under this article and subject to the same penalties as set forth in section 504

Section 304 Obligations to be Performed by Persons Operating Storage Reservoirs (a) Any person who on the effective date of this act is operating a storage reservoir which underlies or is within two thousand linear feet of an operating coal mine which is operating in a coal seam that extends over the storage reservoir or the reservoir protective area shall

(1) Use every known method which is reasonable under the circumstances for discovering and locating all wells which have or may have been drilled into or through the storage stratum in that acreage which is within the outside coal boundaries of such operating coal mine and which overlies the storage reservoir or the reservoir protective area

(2) Plug or recondition in the manner provided by subsection (c) of section 206 and subsection (e) of this section all known wells (except to the extent otherwise provided in subsections (e) (f) (g) and (h) of this section) drilled into or through the storage stratum and which are located within that portion of the acreage of the operating coal mine overlying the storage reservoir or the reservoir protective area provided however that where objection is raised as to the use of any well as a storage well and after a conference or hearing in accordance with section 502 it is determined taking into account all the circumstances and conditions that such well should not be used as a storage well such well shall be plugged provided however that if in the opinion of the storage operator the well to which such objection has been raised may at some future time be used as a storage well the storage operator may recondition and inactivate such well instead of plugging it if such alternative is approved by the division after taking into account all of the circumstances and conditions

The requirements of clause (2) of this subsection shall be deemed to have been fully complied with if as the operating coal mine is extended all wells which from time to time come within the acreage described in said clause (2) are reconditioned or plugged as provided in subsections (e) or (f) of this section and in subsection (c) of section 206 so that by the time the coal mine has reached a point within two thousand linear feet of any such wells they will have been reconditioned or plugged so as to meet the requirements of said subsections (e) or (f) and of subsection (c) of section 206

(b) Any person operating a storage reservoir referred to in subsection (a) of this section shall within sixty days after the effective date of this act file with the division and furnish a copy to the person operating the affected operating coal mine a verified statement setting forth

(1) That the map and any supplemental maps required by subsection (a) of section 301 have been prepared and filed in accordance with section 301

(2) A detailed explanation of what the storage operator has done to comply with the requirements of clauses (1) and (2) of subsection (a) of this section and th results thereof

(3) Such additional efforts if any as the storage opera tor is making and intends to make to locate all oil an gas wells

(4) Any additional wells that are to be plugged reconditioned to meet the requirements of clause (2 of subsection (a) of this section

If such statement is not filed by the storage reservo operator within the time specified herein the divisio shall summarily order such operator to file such statemer

(c) Within one hundred twenty days after the recei of any such statement the division may and it shall so requested by either the storage operator or the co operator affected direct that a conference be held accordance with section 502 to determine whether th information as filed indicates that the requirements section 301 and of subsection (a) of this section hav been fully complied with At such conference if any pe son shall be of the opinion that such requirements hav not been fully complied with the parties shall attem to agree on what additional things are to be done an the time within which they are to be completed subje to the approval of the division to meet the said r quirements

If such agreement cannot be reached the division sha direct that a hearing be held in accordance with sectio 502 At such hearing the division shall determine wheth the requirements of section 301 an of subsection (a) this section have been met and shall issue an ord setting forth such determination If the division sha determine that any of the said requirements have n been met the order shall specify in detail both the exte to which such requirements have not been met and th things which the storage operator must do to meet suc requirements The order shall grant to the storage o erator such time as is reasonably necessary to comple each of the things which he is directed to do If in carry ing out said order the storage operator encounters co ditions which were not known to exist at the time the hearing and which materially affect the validity said order or the ability of the storage operator to com ply with the order the storage operator may apply f a rehearing or modification of said order

(d) Whenever in compliance with subsection (a) this section a storage operator after the filing of th statement provided for in subsection (b) of this sectio plugs or reconditions a well he shall so notify the div sion and the coal operator affected in writing settin forth such facts as will indicate the manner in which th plugging or reconditioning was done Upon receipt there of the coal operator affected or the division may reque a conference or hearing in accordance with section 502

(e) In order to meet the requirements of subsectio (a) of this section wells which are to be plugged sha be plugged in the manner specified in subsection (c) section 206 When a well located within the storage rese voir or the reservoir protective area has been plugge prior to the enactment of this act and on the basis the data information and other evidence submitted the division it is determined that (1) such plugging w done in the manner required in subsection (c) of sec tion 206 or in a manner approved as an alternati method in accordance with section 207 and (2) said plu ging is still sufficiently effective to meet the requir ments of this act the obligations imposed by subsectio (a) of this section as to plugging said well shall be co sidered fully satisfied

(f) In order to meet the requirements of subsectio (a) of this section wells which are to be reconditione shall be cleaned out from the surface through the sto age horizon and the following casing strings shall b pulled and replaced with new casing using the sam procedure as is applicable to drilling a new well provided for in this act (1) the producing casing (2 the largest diameter casing passing through the lowe workable coal seam unless such casing extends at lea twenty-five feet below the bottom of such coal sea

nd is determined to be in good physical condition pro-ided however that the storage operator may instead f replacing the largest diameter casing replace the next argest casing string if such casing string extends at least wenty-five feet below the lowest workable coal seam and 3) such other casing strings which are determined not o be in good physical condition In the case of wells to e used for gas storage the annular space between each tring of casing and the annular space behind the argest diameter casing to the extent possible shall be illed to the surface with cement or aquagel or such qually nonporous material as is approved by the division ursuant to section 207 At least fifteen days prior to he time when a well is to be reconditioned the storage perator shall give notice thereof to the coal operator r owner and to the division setting forth in such notice he manner in which it is planned to recondition such vell and any pertinent data known to the storage op-rator which will indicate the then existing condition f such well In addition the storage operator shall give he coal operator or owner and such representative of he division as the deputy secretary shall have designated t least seventy-two hours notice of the time when such econditioning is to begin The coal operator or owner hall have the right to file within ten days after the re-eipt of the first notice required herein objections to the lan of reconditioning as submitted by the storage op-rator If no such objections are filed or if none is raised by he division within such ten day period the storage opera-or may proceed with the reconditioning in accordance vith the plan as submitted If any such objections are filed r are made by the division the division shall fix a time nd place for a conference in accordance with section 02 at which conference the storage operator and the erson who has filed such objections shall endeavor to gree upon a plan of reconditioning which meets the equirements herein and which will satisfy such objec-ions If no plan is approved at such conference the ivision shall direct that a hearing be held in accordance vith section 502 and after such hearing shall by an ppropriate order determine whether the plan as sub-nitted meets the requirements set forth herein or what hanges if any should be made to meet such requirements f in reconditioning a well in accordance with said plan hysical conditions are encountered which justify or ecessitate a change in said plan the storage operator r the coal operator may request that the plan be hanged If said parties cannot agree upon such change he division shall arrange for a conference or hearing n accordance with section 502 to determine the matter n the same manner as set forth herein in connection vith original objections to aid plan Application may be nade to the division in the manner prescribed in sec-ion 207 for approval of an alternative method of re-onditioning a well When a well located within the stor-ge reservoir or the reservoir protective area has been econditioned prior to the enactment of this act or was o drilled and equipped previously and on the basis of he data information and other evidence submitted to he division it is determined that

(1) Such reconditioning or previous drilling and quipping was done in the manner required in this sub-ection or in a manner approved as an alternative method n accordance with section 207

(2) Such reconditioning or previous drilling and quipping is still sufficiently effective to meet the re-uirements of this act the obligations imposed by sub-ection (a) as to reconditioning said well shall be con-idered fully satisfied Where a well requires emergency epairs this subsection shall not be construed to require he storage operator to give the notices specified herein efore making such repairs

(g) When a well located within the reservoir pro-ective area is a producing well in a stratum below the torage stratum the obligations imposed by subsection a) of this section shall not begin until such well ceases o be a producing well

(h) When a well within a storage reservoir or the reservoir protective area penetrates the storage stratum but does not penetrate the coal seam being mined by an operating coal mine the division may upon application of the operator of such storage reservoir exempt such well from the requirements of this section Either party affected may request a conference and hearing with respect to the exemption of any such well in accordance with section 502

(i) In fulfilling the requirements of clause (2) of subsection (a) of this section with respect to a well within the reservoir protective area the storage operator shall not be required to plug or recondition such well until he has received from the coal operator written notice that the mine workings will within the period stated in such notice be within two thousand linear feet of such well Upon the receipt of such notice the storage operator shall use due diligence to complete the plugging or reconditioning of such well in accordance with the requirements of this section and of subsection (c) of section 206 If the said mine workings do not within a period of three years after said well has been plugged come within two thousand linear feet of said well the coal operator shall reimburse the storage operator for the cost of said plugging provided such well is still within the reservoir protective area as of that time

(j) When retreat mining approaches a point where within ninety days it is expected that such retreat work will be at the location of the pillar surrounding an active storage well the coal operator shall give written notice of such approach to the storage operator and by agreement said parties shall determine whether it is necessary or advisable to inactivate effectively said well temporarily The well shall not be reactivated until a reasonable period has elapsed such reasonable period to be determined by said parties In the event that said parties cannot agree upon either of the foregoing matters such question shall be submitted to the division for decision in accordance with section 502 The number of wells required to be temporarily inactivated during the retreat period shall not be such as to materially affect the efficient operation of such storage pool This provision shall not preclude the temporary inactivation of a particular well where the practical effect of inactivating such well is to render the pool temporarily inoperative

(k) The requirements of subsections (a) (l) and (m) of this section shall not apply to the injection of gas into any stratum when the sole purpose of such injection (such purpose being herein referred to as testing) is to determine whether the said stratum is suitable for storage purposes provided however that such testing shall be conducted only in compliance with the following requirements

(1) The person testing or proposing to test shall comply with all of the provisions and requirements of section 301 and shall verify the statement required to be filed thereby

(2) If any part of the proposed storage reservoir is under or within two thousand linear feet of an operating coal mine which is operating in a coal seam that extends over the proposed storage reservoir or the reservoir protective area the storage operator shall give at least six months' written notice to the division and to the coal operator of the fact that injection of gas for testing purposes is proposed

(3) The coal operator affected may at any time file objections with the division in accordance with subsection (h) of section 501 If any such objections are filed by the coal operator or if the division shall have any objections the division shall fix a time and place for a conference in accordance with section 502 not more than ten days from the date of the notice to the storage operator at which conference the storage operator and the person who has filed such objections shall attempt to agree subject to the approval of the division on the questions involved If such agreement cannot be reached at such conference the division shall direct that a hearing be held in accordance with section 502 At such hearing the division shall determine and set forth in an appropriate order

the conditions and requirements which it shall deem necessary or advisable in order to prevent gas from such storage reservoir from entering any operating coal mine The storage operator shall comply with such conditions and requirements throughout the period of the testing operations In determining such conditions and requirements the division shall take into account the extent to which the matters referred to in subsection (a) of this section have been performed If in carrying out said order either the storage operator or the coal operator encounters or discovers conditions which were not known to exist at the time of the hearing and which materially affect said order or the ability of the storage operator to comply with the order either operator may apply for a rehearing or modification of said order

(4) Where at any time a proposed storage reservoir being tested come under or within two thousand linear feet of an operating coal mine either because of the extension of the storage reservoir being tested or because of the extension or establishment or reestablishment of the operating coal mine then and at the time of any such event the requirements of this subsection shall become applicable to such testing

(1) Any person who after the effective date of this act proposes to establish a storage reservoir under or within two thousand linear feet of an operating coal mine which is operating in a coal seam that extends over the storage reservoir or the reservoir protective area shall prior to establishing such reservoir in addition to complying with the requirements of section 301 and subsection (a) of this section file the verified statement required by subsection (b) of this section and fully comply with such order or orders if any as the division may issue in the manner provided for under subsection (b) or (c) of this section before beginning the operation of such storage reservoir After the person proposing to operate such storage reservoir shall have complied with such requirements and shall have thereafter begun to operate such reservoir he shall continue to be subject to all of the provisions of this article

(m) When a gas storage reservoir (1) is in operation on the effective date of this act and at any time thereafter it is under or within two thousand linear feet of an operating coal mine or (2) when a gas storage reservoir is put in operation after the effective date of this act and at any time after such storage operations begin it is under or within two thousand linear feet of an operating coal mine then and in either such event the storage operator shall comply with all of the provisions of this section except that the time for filing the verified statement under subsection (b) shall be sixty days after the date stated in the notice filed by the coal operator under subsections (b) or (c) of section 303 as to when the operating coal mine will be at a point within two thousand linear feet of such reservoir provided however that if the extending of the projected workings or the proposed establishment or reestablishment of the operating coal mine is delayed after the giving of the notice provided in subsection (b) and (c) of section 303 the coal operator shall give notice of such delay to the division and the division shall upon the request of the storage operator extend the time for filing such statement by the additional time which will be required to extend or establish or reestablish such operating coal mine to a point within two thousand linear feet of such reservoir Such verified statement shall also indicate that the map referred to in subsection (a) of section 301 has been currently amended as of the time of the filing of such statement The person operating any such storage reservoir shall continue to be subject to all of the provisions of this article

(n) If in any proceeding under this act the division shall determine that any operator of a storage reservoir has failed to carry out any lawful order of the division issued under this act the division shall have authority to require such storage operator to suspend the operation of such reservoir and to withdraw the gas therefrom until such violation is remedied In such an event the gas shall be withdrawn under the following conditions The stor age operator shall remove the maximum amount of ga which is required by the division to be removed fro the storage reservoir that can be withdrawn in accord ance with recognized engineering and operating pro cedures and shall proceed with due diligence in so fa as existing facilities used to remove gas from the reservo will permit

(o) In addition to initial compliance with the othe provisions of this act and any lawful orders issued there under it shall be the duty at all times of the person own ing or operating any storage reservoir which is subje to the provisions of this article to keep all wells drille into or through the storage stratum in such condition an to operate the same in such manner as to prevent th escape of gas into any coal mine therefrom and to opera and maintain such storage reservoir and its facilities i such manner and at such pressure as will prevent ga from escaping from such reservoir or its facilities int any coal mine provided that this duty shall not be con strued to include the inability to prevent the escape o gas where such escape results from an act of God or a act of any person not under the control of the storag operator other than in connection with any well whic the storage operator has failed to locate and to mak known to the division provided however that if an escape of gas into a coal mine does result from an a of God or an act of any person not under the control o the storage operator the storage operator shall be und the duty of taking such action thereafter as is reasonab necessary to prevent further escape of gas into the co mine

Section 305 Inspection of Facilities and Records Re liance on Maps Burden of Proof (a) In determinin whether a particular coal mine or operating coal mine or will be within any distance material under this a from any storage reservoir the owner or operator of suc coal mine and the storage operator may rely on the mo recent map of the storage reservoir or coal mine file by the other with the division

(b) In any proceeding under this act where the accurac of any map or data filed by any person pursuant to th requirements of this act is in issue the person filing th same shall at the request of any party to such proceedin be required to disclose the information and method use in compiling such map and data and such informatio as is available to such person that might affect the cu rent validity of such map or data If any material que tion is raised in such proceeding as to the accuracy o such map or data with respect to any particular matte or matters contained therein the person filing such ma or data shall then have the burden of proving the accu racy of the map or data with respect to such matter o matters

(c) The person operating any storage reservoir affecte by the terms of this act shall at all reasonable times b permitted to inspect the applicable records and facilitie of any coal mine overlying such storage reservoir or th reservoir protective area and the person operating an such coal mine affected by the terms of this act sha similarly at all reasonable times be permitted to inspe the applicable records and facilities of any such storag reservoir underlying any such coal mine In the even that either such storage operator or coal operator sha refuse to permit any such inspection of records of facilitie the division shall on its own motion or on applicatio of the party seeking the inspection after reasonable writte notice and a hearing thereon if requested by either o the parties affected make an order providing for suc inspection

Section 306 Exemptions (a) The provisions of th article shall not apply to the following types of coal mine

(1) Strip mines and auger mines operating from th surface

(2) Mines to which the provisions of the act of Jun 9, 1911 (P. L. 756) as amended do not apply as provide in section 3 of Article XXVIII thereof and mines t which the provisions of the act of June 2, 1891 (P. L. 176

as amended do not apply as provided in section 1 of Article I thereof

(b) Injection of gas for storage purposes in any workable coal seam whether or not such seam is being or has been mined shall be prohibited Nothing in this article shall be construed to prohibit the original extraction of natural gas crude oil or coal

ARTICLE IV

EMINENT DOMAIN

Section 401 Appropriation of Interests in Real Property (a) Any and all corporations empowered to transport sell or store natural or manufactured gas within this Commonwealth shall have the right subject to the following limitations to appropriate interests in real property for the injection storage and removal from storage of natural or manufactured gas in any stratum which is or previously has been commercially productive of natural gas provided that the right of eminent domain shall not be exercised to acquire for the purpose of gas storage (1) any interest in any geological stratum within the area of the proposed storage reservoir unless the original recoverable oil or gas reserves therein have been depleted or exhausted by at least eighty per centum and unless and until the condemnor shall have acquired the right by grant lease or other agreement to store gas in the said geological stratum underlying at least seventy-five per centum of the area of the proposed storage reservoir or (2) any interest in any geological stratum within the area of the proposed storage reservoir owned directly or indirectly by a gas company or by a person engaged in the local distribution of natural gas which interest is being used by such gas company or by such person for present storage of gas in the performance of service to customers within its service area

(b) This act shall be construed to authorize appropriation of the stratum to be used for storage any gas reserve remaining therein and any active or abandoned well or wells drilled into said stratum and further to authorize the appropriation of the right to enter upon and use the surface of lands for the purpose of locating reconditioning maintaining plugging or replugging any active or abandoned wells or operating any wells drilled into or through said storage stratum within the storage reservoir boundary or within the reservoir protective area This act shall not be construed however to preclude the owner of nonstorage strata from the drilling of wells for the purpose of producing oil or gas from any stratum above or below the storage stratum appropriated by such corporation but the corporation appropriating or holding storage rights shall have access to and the right to inspect and examine any such drilling or completed well and the drilling logs and all other records relating to the drilling equipping or operating of such well for the purpose of determining whether the storage stratum is being adequately protected to prevent the escape of gas stored therein This act shall not authorize the appropriation of any coal or coal measure whether or not being mined or any interest therein

(c) Any person drilling operating using or plugging any well through any stratum which has been appropriated under this act shall so drill case equip operate or plug the same as to prevent any avoidable escape of gas that may be stored in the storage stratum Upon failure neglect or refusal of such person or persons to comply with this section the court of common pleas of the county in which the tract of land is situated shall have the power to compel compliance by injunction or to grant other appropriate relief upon action brought by the corporation storing gas in the storage stratum

(d) Prior to any appropriation the corporation shall attempt to agree with the owner or owners of the interests in real property involved as to the damage properly payable for the property rights or interests to be appropriated in or on his her or their property if such owner or owners can be found and are sui juris Failing to agree the corporation shall tender to the property owner or owners a surety bond to secure him her or them in the payment of damages If the owner or owners refuse to accept said bond or cannot be found or are not sui juris said bond after reasonable notice to the property owner or owners by advertisement or otherwise shall then be presented for the approval to the court of common pleas of the county in which the tract of land is situated Upon the approval of the bond and its being filed in said court the right of the corporation to enter upon the enjoyment of the powers given it by this act to store gas and to enter on the property for the purpose of locating reconditioning maintaining plugging or replugging any active or abandoned wells or operating any wells drilled into or through said storage stratum within the storage reservoir boundary or within the reservoir protective area shall be complete

(e) Upon petition of either the property owner or owners or the corporation exercising the right of eminent domain hereunder said court shall appoint three disinterested freeholders of the county to serve as viewers to assess the damages proper to be paid to the property owner or owners for the rights appropriated by said corporation and shall fix a time for their meeting of which notice shall be given to both parties After the viewers have filed their report with the court said court shall fix reasonable compensation for the service of said viewers

(f) Either party may appeal from the report of the viewers within twenty days after the filing thereof with the court of commonpleas and have a jury trial and the right of appeal as in ordinary cases

(g) Nothing contained in this section shall relieve the person operating a storage reservoir from the requirements of this act

ARTICLE V

MISCELLANEOUS PROVISIONS

Section 501 Oil and Gas Dvision (a) There is hereby created a division of the Department of Mines to be known as the Oil and Gas Division which division shall have power and authority to execute and carry out the provisions of this act in the manner provided herein The division shall be under the immediate supervision of a Deputy Secretary of Mines for Oil and Gas who shall be appointed by the Secretary of Mines with the approval of the Governor and who shall be under the supervision and direction of the Secretary of Mines The deputy secretary at the time of his appointment shall be a person informed on the subjects of coal mining and oil and gas production and storage and shall receive such compensasation as may be fixed by the Secretary of the Department of Mines with the approval of the Governor

(b) The deputy secretary shall serve on behalf of the Secretary of Mines as hearing officer at all hearings or conferences conducted by the division or in his absence or inability to act such other qualified representative of the division as may be designated in writing by the secretary or said deputy secretary

(c) The Secretary of Mines shall appoint and fix the compensation of such additional experts engineers geologists inspectors investigators clerks and other employes as may be necessary for the proper conduct of the work of the division provided that the Secretary of Mines shall appoint or retain on a consulting basis at least one competent engineer or geologist with a degree in engineering or geology from a recognized institution of learning and at least one competent mining engineer with a degree in engineering from a recognized institution of learning and each having at least four years practical experience in their respective fields At all hearings under subsection (c) of section 304 there shall be present in addtion to the person conducting said hearing at least one of the aforesaid gas engineers or geologists and at least one of the said coal mining engineers who shall consult with the person conducting said hearing and make recommendations to him respecting the matter under consideration

(d) Except as otherwise specifically provided in this act the division and its employes shall be subject to all the provisions of "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) its amendments and supplements which apply generally to administrative departments and offices

(e) The division may review the maps and data filed under sections 301 and 302 hereof for the purpose of determining the accuracy thereof Where any material question is raised by any interested storage operator or coal operator or owner as to the accuracy of any such map or data the division shall hold hearings thereon and shall by an appropriate order require the person filing such map or data to correct the same if they are found to be erroneous

(f) It shall be the duty of the division to receive and keep in a safe place for public inspection any map data report well log notice or other writing required to be filed with it pursuant to the provisions of this act The division shall keep such indices of all such information as will enable any person using the same to readily locate such information either by the identity of the person who filed the same or by the person or persons affected by such filing or by the geographic location of the subject matter by political subdivision The division shall also keep a docket for public inspection of all proceedings in which shall be entered the dates of any notices the names of all persons notified and their address the dates of hearings conferences and all orders decrees decisions determinations rulings or other actions issued or taken by the division and such docket shall constitute the record of each and every proceeding before the division

(g) The division shall have authority to make any inspections and investigations of records and facilities which it shall deem necessary or desirable to perform its functions under this act

(h) Where in any section of this act provision is made for the filing of objections such objections shall be filed in writing with the division by the person entitled to file the same or by the division and shall state as definitely as is reasonably possible the reasons for such objections The person filing such objections shall send a copy thereof by registered mail to the person or persons affected thereby

Section 502 Conferences Hearings and Appeals (a) The division or any person having a direct interest in the subject matter of this act may at any time request that a conference be held for the purpose of discussing and endeavoring to resolve by mutual agreement any matter arising under the provisions of this act Prompt notice of any such conference shall be given by the division to all such interested parties At such conference a representative of the division shall be in attendance and the division may make such recommendations as it deems appropriate Any agreement reached at such conference shall be consistent with the requirements of this act and if approved by such representative of the division it shall be reduced to writing and shall be effective unless reviewed and rejected by the division within ten days after the close of the conference The record of any such agreement approved by the division shall be kept on file by the division with copies furnished to the parties Such a conference shall be held in all cases prior to conducting any hearing under this section.

(b) All hearings before the division shall be public and shall be conducted in accordance with such regulations and such provisions as to reasonable notice as the division may prescribe Consistent with the requirements for reasonable notice all hearings under this act shall be held by the division promptly All testimony taken at such hearings shall be under oath and shall be recorded by a reporter appointed by the division and the parties may appear and be heard in person or by attorney The division may present at such hearing any evidence which is material to the matter under consideration and which has come to the division's attention in any investigation or inspection made pursuant to provisions of this section

(c) After the conclusion of hearings the division shall make and file its findings and order with its opinion if any A copy of such order shall be served by registered mail upon the person against whom it runs or his attorney and notice thereof shall be given to the other parties to the proceedings or their attorney

(d) The division may at any time after notice and after opportunity to be heard as provided in this section rescind or amend any approved agreement or order made by it Any order rescinding or amending a prior agreement o order shall when served upon the person affected ar after notice thereof is given to the other parties to th proceedings have the same effect as is herein provided fo original orders but no such order shall affect the legali or validity of any acts done by such person in accordanc with the prior agreement or order before receipt by suc person of the notice of such change.

(e) The division shall have the power in any part of th Commonwealth to subpoena witnesses to administer oath to examine witnesses or to take such testimony or comp the production of such books records maps plats pape documents and other writings as it may deem necessar or proper in and pertinent to any proceedings investig tion or hearing held or had by it In case of refusal to obe any subpoena served upon any person any court of com mon pleas within the jurisdiction where the hearing held or within the jurisdiction where the person guil of refusal to obey is found or resides or transacts busine shall on application of the deputy secretary or his autho ized representative have power to enforce such subpoen in contempt proceedings The fees for serving a subpoe shall be the same as those paid sheriffs for similar servic

(f) The division or any party to proceedings before th division may cause the deposition of witnesses residi within or without the Commonwealth to be taken in th manner prescribed by law for taking depositions in civ actions.

(g) Witnesses who are summoned before the divisio shall be paid the same fees as are paid to witnesses the courts of record of general jurisdiction Witness whose depositions are taken purusant to the provisio of this act and the officers taking the same shall be en titled to the same fees as are paid for like services such courts

(h) No person shall be excused from testifying or fro producing any book document map plat or paper in an investigation or inquiry by or hearing before the div sion when ordered to do so upon the ground that th testimony or evidence book documents map plat pap or other writings required may tend to incriminate hi or subject him to penalty or forfeiture but no perso shall be prosecuted punished or subjected to any forfeitu or penalty for or on account of any act transaction matt or thing concerning which he shall have been compell under objection to testify or produce documentary ev dence provided that no person so testifying shall exempt from prosecution or punishment for any perju committed by him in his testimony

(i) Within twenty days after the service upon him any final order decision determination or ruling (or a petition for rehearing or reconsideration is filed with ten days after said service then within ten days aft service of the order of the division refusing such pe tion or of the order following rehearing or reconsideratio any person aggrieved thereby who has a direct intere in such adjudication shall have the right to appeal ther from Such appeal shall be taken to the court of com mon pleas of the county wherein the land or other pro erty right affected is located or to the Court of Comm Pleas of Dauphin County If at the time of filing of an such appeal the court is not then in session the preside judge of said court or any two judges thereof shall ord holding of court upon petition of a dissatisfied party f the purpose of hearing this appeal Parties interest jointly severally or otherwise in the same order decisi determination or ruling may join in an appeal therefro even though all of the interested parties do not jo therein

(j) The precedure applicable to appeals from any fin order decision determination or ruling shall be in accor ance with the rules of civil procedure promulgated fro time to time by the Supreme Court of Pennsylvania exce as otherwise provided herein No party who proceede before the division under the terms of this act shall precluded from questioning the validity of said act in th appeal but no party may rise upon appeal any other que tion not raised before the division unless allowed by th court upon due cause shown

(k) The court to which the appeal is taken shall hear he appeal without a jury on the record certified by the division In any such appeal the findings of the division hall if supported by substantial evidence and in the bsence of fraud be conclusive and any such appeal shall e given precedence over all other matters except matters f the same character If the order of the division is not ffirmed the court may set aside or modify it in whole or n part or may remand the proceeding to the division for urther disposition in accordance with the order of the ourt

(l) The division or any party affected by any decision of court on an appeal from any order of the division may within thirty days of the filing of such decision appeal o the Supreme Court of Pennsylvania

(m) No appeal taken from an order of the Oil and Gas Division or from a decision of a court of common pleas hall act as a supersedes of the order of decision appealed rom unless the court to which such appeal is taken shall e an interlocutory order make such appeal a supersedeas Such interlocutory order shall be made only after such notice to all parties as the court may direct and after earing Upon the granting of a supersedeas the court may n its descretion require the filing of a bond to the Commonwealth for the use of all parties aggrieved In such sum nd conditioned as the court may by its order direct or nay grant the supersedeas upon such other terms and onditions as the court in its discretion may prescribe

(n) Whenever a coal or gas operator is to be given notice by the division of any proceeding to be held under his section the division shall also send simultaneously a opy of such notice to the collective bargaining representative of the employes of the coal operator

Section 503 Enforcement (a) The division or any person having a direct interest in the subject matter of this act nay complain in writing setting forth that any person is violating or is about to violate any provisions of this act r has done or is about to do any act matter or thing herein prohibited or declared to be unlawful or has ailed omitted neglected or refused or is about to fail mit neglect or refuse to perform any duty enjoined upon im by this act

Upon the filing of a complaint against any person the division shall cause a copy thereof to be served upon such erson by registered mail accompanied by a notice from he division calling upon such person to satisfy the complaint or to answer the same in writing within such easonable time as may be specified by the division in uch notice

If any person complained against within the time pecified by the division shall satisfy the complaint the ivision by order shall dismiss the complaint If such person shall not satisfy the complaint within the time specified and it shall appear to the division from a consideration f the complaint and answer or otherwise that reasonable round exists for investigating such complaint it shall be he duty of the division to direct that a hearing be held in ccordance with section 502 Following such hearing the division shall if it finds that the matter alleged in the omplaint is not in violation of this act dismiss the complaint but if the division should find that the complaint is ustified it shall by appropriate order compel compliance vith the act

(b) Whenever the division shall be of the opinion that ny person is violating or is about to violate any provisions of this act or has done or is about to do any act natter or thing therein prohibited or declared to be unawful or has failed omitted neglected or refused or is bout to fail omit neglect or refuse to perform any duty njoined upon him by this act or has failed omitted eglected or refused or is about to fail omit neglect or efuse to obey any lawful requirement or order made by he division or any final judgment order or decree made y any court pursuant to this act then and in every such ase the division may institute in the Court of Common Pleas of Dauphin County or in the court of common pleas f the county or counties wherein the operation is situaed injunction mandamus or other appropriate legal proceedings to restrain such violations of the provisions of this act or of orders of the division and to enforce obedience therewith and such courts of common pleas are hereby clothed with exclusive jurisdiction throughout the Commonwealth to hear or determine all such actions No injunction bond shall be required to be filed in any such proceeding Such persons or corporations as the court may deem necessary or proper to be joined as parties in order to make its judgment order or writ effective may be joined as parties The final judgment in any such action or proceeding shall either dismiss the action or proceeding or direct that the writ of mandamus or injunction issue or be made permanent as prayed for in the petition or in such modified or other form as will afford appropriate relief An appeal may be taken as in other civil action

(c) The Attorney General in addition to the exercise of the powers and duties now conferred upon him by law shall also upon request of the division or upon his own motion proceed in the name of the Commonwealth by mandamus injunction or quo warranto or other appropriate remedy at law or in equity to restrain violations of the provisions of this act or of orders of the division or the judgments orders or decrees of any court or to enforce obedience therewith

(d) Each remedy prescribed in this section shall be deemed concurrent or contemporaneous with any other remedy prescribed herein and the existance or exercise of any one such remedy shall not prevent the exercise of any other such remedy

Section 504 Penalties Any person who shall wilfully violate any order of the Oil and Gas Division issued pursuant to the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or undergo imprisonment of not more than one year or both Each day's continuance of such violation shall be a separate and distinct offense

Section 505 Effective Date This act shall take effect in sixty days

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I am going to vote for this piece of legislation. However, inasmuch as large quantities of natural gas are presently being stored at high pressures beneath four very large operating coal mines, located in my District, the District which I represent, I am definitely of the opinion that this bill does not give as great a degree of protection to the several thousand mine workers employed in these mines as if the bill had been so drawn as to prohibit the storage of natural gas under any operating coal mine. Nevertheless, I realize that the present bill is a practical step and it is a step in the right direction. I intend to vote for the bill, Mr. President, and hope that in the near future this legislation may be amended to include such a provision.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Fleming,	McGinnis,	Stevenson,
Barr,	Haluska,	McMenamin,	Stiefel,
Berger,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,

Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 151, entitled:

An Act amending the act of June 20, 1919 (P. L. 521), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; . . ." exempting certain persons corporations and organizations from tax on the transfer of property inherited or received by them.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that House Bill No. 173, on second reading, entitled:

An Act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and the regulations and maintenance thereof providing for continuance of existing funds or transfer thereof to funds herein established prescribing rights of beneficiaries and repealing certain acts.

be placed on the Second Reading Postponed Calendar.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I had held up this legislation since we are working on Senate Bill No. 403 and its amendments in regard to the social security legislation. However, this bill need not be held up or put on the Postponed Calendar, because the legislation in Senate Bill No. 403 will not be applicable to this particular piece of legislation. As far as I am concerned, it can be moved up and passed.

Mr. MAHANY. Mr. President, Senator Fleming has taken upon himself the job of trying to work out some amendments to this House Bill which would take away, perhaps, the opposition of the boroughs association and others that might imperil this bill if we allowed it to go up on Final Passage. Therefore, I think that we, by amendment, can work this out so that it will be satisfactory to both the policemen and to the boroughs. That is the reason I asked that the bill be put on the Postponed Calendar so that we might be able to do some thing with it.

Mr. SEYLER. Mr. President, I wish to support th motion to Postpone. I feel that such a procedure as ha been described by the Majority Leader is necessary befor this bill is in shape to be voted upon.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committe of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and con sideration of Senate Bill No. 249, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051 entitled "Public Assistance Law," increasing monthly per sion allowance and maximum income allowance creditin encumbrances in realty valuation and abolishing the sur of income and pension as a ceiling for pension receivabl

And said bill having been read at length the second tim and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committe of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and con sideration of Senate Bill No. 332, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," authorizing the issuance o duplicate registration cards at the option of the owne and fixing the fee therefor.

And said bill having been read at length the second tim and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committe of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and con sideration of House Bill No. 342, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," exempting and limiting th number of motor vehicles of war amputees from the pay ment of title registration fees.

And said bill having been read at length the second tim and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bil No. 584, on second reading, entitled:

An Act amending the act of May 2, 1925, (P. L. 448) entitled "An act relating to fish and amending revisin consolidating and changing the law relating to fish in th inland waters and the boundary lakes and boundary river of the Commonwealth" permitting aliens to obtain license to fish.

be recommitted to the Committee on Forests and Waters Game and Fish.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 602, entitled:

An Act amending the act of May 1, 1929 (P. L. 1005), entitled as amended "The Tractor Code," changing the heighth and width standards for tractor cleats or grousers and guide bands.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 619. entitled:

An Act amending the act of May 11, 1949 (P. L. 1210), entitled "An act relating to group life insurance describing permitted policies and restrictions thereon . . ." decreasing the minimum number of employes who may be covered by policies issued to any employer or to trustees of a fund established by an employer.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 670, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," revising and expanding the state mental health program providing for the appointment of a Deputy to be known as Commissioner of Mental Health and creating an advisory council on mental health in the Department of Welfare prescribing their powers and duties and chaging the powers and duties of the boards of trustees of the several State mental institutions.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER. Mr. President, the amendments which I am about to offer consist of two sets. The first set covers a typographical error in the printing of the bill, and the second set provides for staggered terms for all boards of trustees of State institutions.

Mr. President, these amendments are being offered not only on my behalf but on behalf of the Minority Floor Leader, Senator Dent, as well.

May we be at ease, Mr. President?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

AMENDMENTS WITHDRAWN

Mr. KESSLER. Mr. President, it has been suggested that I withdraw those amendments so that we can combine them in order to avoid further confusion. Accordingly, I withdraw the amendments at this time.

BILL OVER IN ORDER

Mr. KESSLER. Mr. President, I now ask unanimous consent that House Bill No. 670, Printer's No. 1088, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 685, entitled:

An Act amending the act of June 24, 1939 (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" further regulating the powers of limited life insurance companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 759, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" limiting reimbursement for depreciation to school districts using their own vehicles in pupil transportation

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 1 (Sec. 2541), page 2, line 14, by inserting a bracket before and after "certified" and inserting immediately thereafter. "approved"; Amend Sec. 1 (Sec. 2541), page 2, line 17, by striking out "eight hundred dollars ($800)" and inserting in lieu thereof: "seven hundred dollars ($700)"; Amend Sec. 1 (Sec. 2541), page 2, line 18, by striking out "more than ten"; Amend Sec. 1 (Sec. 2541), page 2, line 19, by striking out "nor a total" and inserting in lieu thereof: "totaling an"; Amend Sec. 1 (Sec. 2541), page 2, line 20, by inserting after "Instruction": nor more than a total of fifteen payments."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 789, entitled:

An Act to amend the act approved the ninth day of August one thousand nine hundred fifty-five (P. L.) (Act No. 130) entitled An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" by authorizing collection of data concerning deceased veterans of armed conflicts and authorizing the erection of monuments to veterans of armed conflicts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 790, entitled:

An Act to amend the act approved the twenty-eighth day of July one thousand nine hundred fifty-three (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" by authorizing collection of data concerning deceased veterans of armed conflicts and authorizing the erection of monuments to veterans of armed conflicts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 797, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "An act concerning townships of the first class . . ." requiring entrance of bond in appeals from board of adjustment ruling affecting zoning regulations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 813, entitled:

An Act amending the act of October 27 one thousand nine hundred fifty-five (Act No. 222) entitled "Pennsylvania Fair Employment Practice Act" providing that termination of employment under a bona fide retirement or pension plan shall not constitute an unfair employment practice

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 816, Printer's No. 323, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committ of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and co sideration of House Bill No. 820, entitled:

An Act amending the act of July 28, 1953 (P. L. 72 entitled "Second Class County Code" further regulati the repayment of money collected upon forfeited rec nizances and the satisfaction of judgment liens agai real property arising therefrom

And said bill having been read at length the seco time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous co sent that the following bills, on second reading, go ov in their order:

Senate Bill No. 830, Printer's No. 324;

Senate Bill No. 831, Printer's No. 325; and

Senate Bill No. 832, Printer's No. 326.

The PRESIDENT. Is there objection? The Chair hea none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committ of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and co sideration of Senate Bill No. 833, entitled:

An Act amending the act of May 1, 1933 (P. L. 10 entitled "The Second Class Township Code" authorizi townships to improve public streets or roads witho petition and collect the costs thereof from owners abutting properties

And said bill having been read at length the seco time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous co sent that the following bills, on second reading, go ov in their order:

House Bill No. 844, Printers No. 1090; and

House Bill No. 961, Printer's No. 474.

The PRESIDENT. Is there objection? The Chair hea none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committ of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and co sideration of House Bill No. 1079, entitled:

An Act amending the act of May 17, 1921 (P. L. 68 entitled "The Insurance Company Law of 1921" furth providing for defining and regulating the issuance group blanket and franchise accident and sickness insu ance.

And said bill having been read at length the seco time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent hat House Bill No. 1330, Printer's No. 800, on second eading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears one.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee f the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1331, entitled:

An Act amending the act of May 17, 1921 (P. L. 789), ntitled as amended "The Insurance Department Act of ne thousand nine hundred and twenty-one" changing rovisions relating to fees.

And said bill having been read at length the second me and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee f the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1461, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entled "The Vehicle Code" exempting the YMCA and WCA from vehicle registration and title fees.

And said bill having been read at length the second me and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent hat House Bill No. 1473, Printer's No. 699, on second eading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears one.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee f the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1687, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) ntitled "The Administrative Code of 1929" creating the dvisory Board on Problems of Older Workers within the epartment of Labor and Industry and placing additional owers and duties in the Department of Labor and Industry with respect to aging and aged persons.

And said bill having been read at length the second me and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that House Bill o. 1687, the bill just read, be re-referred to the Committee on Appropriations.

Mr. TAYLOR, Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1729, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" providing for the incorporation and regulation of nonprofit dental service corporations furnishing dental services only to certain subscribers and their dependents.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1730, entitled:

An Act providing for the regulation and supervision of nonprofit dental service corporations organized to provide dental services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1747, entitled:

An Act to further amend clause (a) of section five hundred ten of the act of May 1, 1929 (P. L. 905), entitled "Vehicle Code," by making an editorial correction and changing the time for beginning use of registration plates for certain vehicles.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 1749, on second reading, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," requiring the submission of a certain certificate by certain applicants requiring admission or release reports on certain persons by certain superintendents or medical directors or other competent authorities and imposing penalties.

be recommitted to the Committee on Highways.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1779, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance . . ." by continuing the provisions of that section in effect for a further period.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1780, entitled:

An Act making an appropriation to the Insurance Commissioner as Statutory Liquidator to enable him to liquidate dissolve insurance companies associations and exchanges which have insufficient assets for such liquidation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that House Bill No. 1780, the bill just read, be re-referred to the Committee on Appropriations.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 257, entitled:

An Act validating the action of any school board which has heretofore employed any teacher who was related to a member of the board, without strictly complying with the law relating to such employment and relieving the members of the board from all liability.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 572, entitled:

An Act authorizing the Pennsylvania Liquor Control Board to issue special temporary permits for the retail sale of malt or brewed beverages at baseball parks under certain circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 600, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," permitting sales on credit of liquor malt or brewed beverages by railroad or pullman companies in dining club or buffet cars to passengers for consumption while enroute holding authorized credit cards issued by railroad or railroad credit bureaus.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 791, entitled:

An Act making an appropriation to the Department of Agriculture for developing and operating a livestock show.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 821, entitled:

An Act authorizing Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Crispin Cemetery in Philadelphia; providing for its restoration and maintenance as an historic shire and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 822, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to prepare, edit and publish a Historical Atlas of Early Pennsylvania; providing for the sale and distribution thereof and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 823, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Mikveh Israel Cemetery on Spruce Street in Philadelphia; providing for its restoration and maintenance as an historic shrine; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 826, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to edit, illustrate and publish its new report on the Frontier Forts of Pennsylvania; providing for the distribution and sale thereof and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

Mr. WATKINS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WATKINS and McGINNIS read in place and presented to the Chair Senate Bill No. 867, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "The Liquor Code" permitting the sale and possession of wine in packages not bearing the official seal of the board.

Which was committed to the Committee on State Government.

Mr. DENT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. DENT and WHALLEY read in place and presented to the Chair Senate Bill No. 868, entitled:

An Act authorizing the Department of Forests and Waters to exchange certain lands located in Union Township, Bedford County, Pennsylvania, necessary for improved administration of Blue Knob State Park.

Which was committed to the Committee on Forests and Waters, Game and Fish.

REPORT FROM COMMITTEE

Mr. DENT, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT, from the Committee on Law and Order, reported as amended House Bill No. 1172, entitled:

An Act amending the act of June 14, 1923 (P. L. 710) entitled 'An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties," prohibiting the use of a fictitious or assumed name for the purpose of participating in any amateur boxing match or exhibition.

BILL ON FIRST READING

Mr. FLEMING. Mr. President, I move that the Senate do now proceed to the first reading of the bill just reported from committee for the first time at today's session.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1172, entitled:

An Act amending the act of June 14, 1923 (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties," prohibiting the use of a fictitious or assumed name for the purpose of participating in any amateur boxing match or exhibition.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, November 22, 1955, at 1:00 o'clock, P. M., Eastern Standard Time.

Mr. HARNEY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:55 o'clock, P. M., Eastern Standard Time, until Tuesday, November 22, 1955, at 1:00 o'clock, P. M., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, November 21, 1955.

The House met at 1:00 p. m. EST.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Reverend Doctor Viggo Swensen, Pastor of the Zion Lutheran Church, Harrisburg, guest Chaplain, offered the following prayer:

Gracious Heavenly Father, Creator, Guide and Saviour, we thank Thee for the privilege of worship and now for opportunity of work. Grant to these servants of the State wisdom and courage and faith in Thee as they put their minds and hearts to the great issues of the day. May they in common with all men, give Thee their first allegiance, assured that only thus can the highest welfare of the state be effectually served.

Pour down upon us Thy loving, empowering mercy; forgive us the sins of which our conscience is afraid, and give us those good things that we can obtain only from Thee. So shall we in humble gratitude to Thee, Almighty God serve Thee and our nation, to Thy honor and glory. Through Jesus Christ Thy Son our Lord, Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, November 14, 1955, will be postponed until printed. The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. McCANN. HOUSE BILL No. 1877.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" changing the basis for reimbursement on account of rentals payable to the State Public School Authority municipality authorities and nonprofit corporations and the conditions therefor and limitations on approval of projects for reimbursement purposes providing for reimbursement on account of sinking fund charges on indebtedness for school buildings hereafter constructed and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. READINGER. HOUSE BILL No. 1878.

An Act to provide revenue for Commonwealth purposes by imposing an excise tax on the sale of goods and products manufactured in Pennsylvania and on the purchase of goods not otherwise taxed for sale storage use or consumption therein providing for the reporting and payment of tax payment of interest and penalties assessments collections liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesale retailers and individuals.

Referred to the Committee on Ways and Means.

By Mr. READINGER. HOUSE BILL No. 1879.

An Act to provide for Commonwealth purposes by imposing a tax on the sale of certain tangible personal property and on the use storage or consumption of certain tangible personal property providing for the reporting and payment of tax payment of interest and penalties assessments collections liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers and individuals.

Referred to the Committee on Ways and Means.

By Mr. READINGER. HOUSE BILL No. 1880.

An Act to further amend sections twenty and twenty-one of the act, approved the first day June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," by requiring additional reports and changing the due date of certain payments of capital stock tax and franchise tax; and changing the gross receipts fraction applicable to foreign corporations.

Referred to the Committee on Ways and Means.

COMMUNICATIONS

COMPLIANCE WITH PENNSYLVANIA LOYALTY ACT

The SPEAKER announced the acknowledgment of copies of report to the Governor of the Commonwealth filed in compliance with Section 13 of the Pennsylvania Loyalty Act of December 22, 1951, (P. L. 1726) on behalf of the following institutions:

Charles B. Nutting, Acting Chancellor
University of Pittsburgh
Pittsburgh 13, Pennsylvania

Sister M. Rita, Superintendent
The Pittsburgh Hospital Association
Frankstown Ave. & Washington Blvd.
Pittsburgh 6, Pennsylvania

Ray K. Bolinger, Administrator
The Robert Packer Hospital
Sayre, Pennsylvania

Walter Malone, III, President
The Hahnemann Medical College and Hospital
230 North Broad Street
Philadelphia 2, Pa.

Miss Jean M. Oakes, Assistant Director
The Chester County Hospital
West Chester, Pennsylvania

John B. Richardson, Administrator
Allegheny Valley Hospital
Tarentum, Pennsylvania

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 218.

An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes, school treasurer, board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by providing for the method of validation of taxable shares of stock in any regulated investment company.

SENATE BILL No. 531.

An Act amending the act of May 3, 1909 (P. L. 413), entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land, the price to be paid for the same, the conveyance to the State Forestry Reservation Commission, where desirable for forest culture or forest preservation, preventing the granting of warrants for the beds of navigable rivers, and providing for acceptance of returns of surveys without limitation as to excess or surplus," providing for and regulating the granting of easements in, across and under the beds of navigable rivers for sewer lines and other facilities of sewage treatment systems.

SENATE BILL No. 643.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting budget planning business and prescribing penalties for violation thereof.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

MESSAGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 21, 1955.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

This Administration and this Legislature have wrestled with the problems of financing the Government of the Commonwealth for many weary months. A Budget for the State's operations was submitted on April 19th, and has not yet been finally acted upon in mid-November.

The House of Representatives passed a comprehensive tax program on July 26th, but the program wa srefused passage in the Senate.

Since that time a deadlock has prevailed.

Meanwhile, the financial difficulties of the State have multiplied. The fiscal biennium ended on May 31st, and since then, we have lived on a hand-to-mouth basis—without a planned Budget and without a revenue structure to support a Budget. To all purposes, we have lost eight months—one third of the twenty-four month period in which a revenue program would normally be effective.

We are at the point where the State's heavy commitments to its public schools, its State-aided universities, its State-aided hospitals and institutions, are in default.

We are not honoring our obligations.

Through the months of August, September, and October, I have hoped that our differences could be reconciled. I repeatedly called for conferences with the leadership of the Legislature, and I regret that our meetings could not have long ago secured a bipartisan compromise of our differences on the Budget and a tax program.

I believe there is, at long last, a general realization that the State must have a revenue structure that will support its public services, and that this Legislature will necessarily enact such a program.

I believe, just as strongly as ever, that an income tax, adjusted in some manner to ability to pay, is the best tax structure for the Commonwealth and its people.

The majority in the State Senate believes otherwise, and has been committed to a tax on retail sales.

In order that all of us may proceed to carry out our basic obligations to the people of Pennsylvania, I am now ready to urge the Legislature to adopt a tax program which is neither an income tax nor a retail sales tax.

It is necessary that such a tax be sufficient in yield to raise the new revenues which are the State's minimum requirement.

It is desirable that it be a tax which will be broad in its application, permitting us to bring some order and system into the crazy-quilt tax pattern which has been applied in State taxation over so many years.

In my judgment, a manufacturers' excise tax, imposed at the rate of three and one-half per cent, will raise the needed revenues and make it possible to simplify and improve our whole system of taxation. I will approve it, if adopted by the Legislature, as a second-best to the income tax which I prefer. Perhaps it would be more accurate to describe it as the least undesirable of the taxes open to us.

I have no personal commitment from the Republican majority in the Senate to accept the manufacturers' excise tax, but the majority leader and the assistant majority leader have each been publicly quoted as stating it is acceptable to them.

Under these circumstances, it would hold the promise of breaking the deadlock. I urge, therefore, that it be promptly approved by the House, where all revenue measures must originate, and be sent to the Senate for the consideration and passage that have been publicly offered.

With no exemptions except the processing of food for human consumption, the estimated yield from the manufacturers' excise tax for a sixteen-month period, at the suggested rate, will be $420,000,000.

Some of the principles of this proposed taxation are:

It is a tax on manufactured goods, payable by Pennsylvania manufacturers on that portion of their product sold in Pennsylvania. The same excise will be levied on all manufactured goods brought into the State, payable by the recipient.

It should not affect the competitive position of Pennsylvania industry in the National market, nor in the State itself.

Raw materials or partly manufactured goods used in manufacture will not be subject to the tax, since it applies only to finished products.

The lapse of time since the Budget was presented in April has given us an opportunity to revise our estimates of both revenues and expenditures. On the basis of that revision, the manufacturers' excise tax will make it possible to finance the basic operations of the State Govvernment; honor our commitments to the State-aided school districts and institutions; and carry out a reasonable new program centering on the admitted problems of mental health and economic development.

The Legislature has, in the same lapse of time, found it desirable to propose expenditures additional to those contemplated in the Budget. Among these additions are $31,000,000 for State support of increased teachers' salaries and about $8,000,000 for State subsidy to school building construction.

To help us finance these added costs, I suggest that the capital stock tax be put on a pay-as-you-go basis. This will increase our revenues in this biennium by an estimated $25,000,000. The non-recurrence of this income in the 1957-59 biennium will be more than covered by our ability at that time to apply the manufacturers' excise tax on a twenty-four month collection period.

It will be possible to revise and improve our whole structure of business taxes—better adapting our tax structure to industrial growth in the Commonwealth.

It will not now be necessary to increase the rate of the corporate net income tax from five to six per cent; but the other revisions in corporate net income tax application (as proposed in House Bill 941) should be adopted.

It will also be possible to proceed with the repeal of nine nuisance taxes on business, as recommended in the Budget Message.

It is of real importance to repeal the corporate excise taxes on both foreign and domestic corporations. These taxes are an actual barrier imposed by the State against industrial and business growth; they impose tax penalties on the development of new businesses in Pennsylvania.

Further, it will be possible—and I so recommend—to reinstate the historic exemption of manufacturers from the capital stock tax, effective January 1, 1957.

It should be stressed that the yield of the manufacturers' excise tax must be maintained, if it is to accomplish its purpose as a major aid in resolving the State's fiscal crisis. If exemptions are broadened, or the rate reduced, the loss of revenue would have an immediate impact against such legislative additions to the Budget as the rise in teachers salaries and State aid for school construction.

To my mind, the proposed manufacturers' excise tax is acceptable only as a recognition of political and legislative realities. It would not be the tax program I would advocate or accept if the Democratic Party had a majority in both House and Senate. Since we do not have a majority in the Senate, we must find a point of mutual accommodation with the Republican majority. This appears to be it.

If it is, we shall have at least this consolation.

We shall finally bring the affairs of this Commonwealth into an honest financial balance, ending the evasions and escapes which have so consistently over the years passed our financial troubles from Administration to Administration. Perhaps we have finally come to recognize that Pennsylvania can operate on a basis of solvency instead of deficits; that a Legislature and a Governor can meet their responsibilities both to the present and to the future.

We are discussing the raising of tax dollars.

Those dollars should only be raised if they are necessary for the welfare of the people of Pennsylvania. Substantially, we spend tax dollars for education; we spend them for health; we spend them to help the needy; we spend them for the maintenance of a civilized society.

The price is surely not so high that we cannot afford to pay it in this great and prosperous State.

GEORGE M. LEADER

ABINGTON JUNIOR HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Abington Junior High School of Montgomery County under the supervision of their teachers Mr. Kelly and Miss Powell. They are the guests of the lady from Montgomery, Mrs. Henzel.

STATEMENT BY SPEAKER

The SPEAKER. Here is a matter of possible interest to the respective Floor Leaders. The Speaker would like to have their attention.

The Speaker holds in his hand a remarkable electronic device. It is calculated to register the heat engendered by disagreement. It is calibrated from 30 to 110.

From 30 to 50 is a dangerous period. If there is no more heat than that, there is no cerebration, nobody is doing any thinking at all.

From 60 to 70 things warm up. When it registers 80, the danger point is reached. At 90 the Minority Leader may simply collapse.

So when our device registers 70, in due deference to the Minority Leader's heart the Chair will ask the privilege of calling a recess until this remarkable electronic device swings back to 60.

PERMISSION TO ADDRESS HOUSE

Mr. CHARLES C. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I have often said, and I want to repeat, I am the easiest fellow in the world to get along with as long as you let me have my own way.

MEMBERS WELCOMED

The SPEAKER. The Chair is pleased to note in the Hall of the House the Member from Bucks, Mr. Keller, who seems to have recovered from his long illness. The Chair welcomes the gentleman back to his post of duty.

And there is added reason for good fellowship and good cheer. The Chair also notes that the gentleman from Philadelphia, Mr. McKeever, is with us today. The Chair welcomes him back to his post of duty.

CALL OF THE HOUSE

Mr. READINGER. Mr. Speaker, in order to determine who is present today and who is not, I would like at this time to suggest the absence of a quorum.

The SPEAKER. The gentleman from Berks, Mr. Readinger, suggests the absence of a quorum. The Sergeant-at-Arms will close the doors of the House, keep them closed and admit only Members and officers of the House. Members now in the Hall of the House are not permitted to leave the Hall of the House until the quorum call has been completed.

The Clerk will call the roll and Members will answer distinctly to their names as they are called.

The roll was called and the following Members were present:

PRESENT—158

Adam,	Gaffney,	Markley,	Smith, C. C.,
Anderson, M. S.,	Gelfand,	Maxwell,	Smith, Wm. B.,
Ashton,	Gibson,	McCann,	Snider,
Auker,	Goldstein,	McGee,	Stank,
Barnatovich,	Gramlich,	McKeever,	Steckel,
Bazin,	Greenwood,	McLaughlin,	Stephens,
Bell,	Guthrie,	McWherter,	Stevenson,
Boies,	Hamilton, R. K.,	Meholchick,	Stone,
Bonner,	Hamilton, W. H.,	Metz,	Stoner,
Boory,	Haudenshield,	Mikula,	Strausser,
Bower,	Helm,	Miller,	Stroup,
Branca,	Henzel,	Mills,	Swartz,
Breisch,	Hewitt,	Moody,	Taylor,
Brennan, A. P.,	Hocker,	Moran,	Thomas,
Brennan, J. J.,	Horst,	Moscrip,	Thompson,
Breth,	Houk,	Mullen,	Tompkins,
Brown,	Isaacs,	Murphy,	Toll,
Bucchin,	Jenkins,	Murray H. P.,	Toomey,
Capano,	Johnson,	Murray, J. J.,	Varallo,
Cianfrani,	Jones, G. E.,	Musto,	Varner,
Cioffi,	Jones, T. H. W.,	Ogilvie,	Vaughan,
Cochran,	Jump,	Olsen,	Verona,
Connelly,	Kamyk,	O'Neil,	Wall,
Curwood,	Keller,	Pacchioli,	Wallace,
Davis,	Kent,	Parry,	Walsh,
Donahue,	Knecht,	Pashley,	Weidner,
Dougherty,	Kolankiewicz,	Paulhamus,	Welsh,
Ehrgood,	Kornick,	Petrosky,	Wescott,
Eilberg,	Kratz,	Polaski,	Wheeler,
Erb,	Lafore,	Polen,	Whitenight,
Ewing,	Leiby,	Pomeroy,	Willaredt,
Farabaugh,	Leonard,	Pursley,	Williams,
Filo,	Leven,	Readinger,	Wood,
Flint,	Light,	Reibman,	Worley,
Floyd,	Lippincott,	Reidenbach,	Yetter,
Flynn,	Lopresti,	Renwick,	Yetzer,
Foster,	Lovett,	Rigby,	Young,
Frank,	Magee,	Rovansek,	Ziegler,
Frost,	Mahan,	Sarraf,	Andrews,
		Sherman,	Speaker

ABSENT—51

Agnew,	Frascella,	Lawyer,	Pettigrew,
Amarando,	Garlock,	Leisey,	Price,
Anderson, S. A.,	George,	Limper,	Rosen,
Banker,	Gibb,	Lutty,	Royer,
Blair,	Guss,	McCormack,	Rubin,
Brenninger,	Hass,	McInroy,	Rudisill,
Bullen,	Heavey,	Mihm,	Scarcelli,
Comer,	Holt,	Monroe,	Schuster,
Cooper,	Kehler,	Muldowney,	Sigman,
Donaldson,	Kline,	Munley,	Stebbins,
Down,	Kooker,	Murray, P. G.,	Wargo,
Eshleman,	Kromer,	Naugle,	Waterhouse,
Fineman,	Kubacki,	Needham,	Wilt,

The SPEAKER. One hundred and fifty-eight Members having answered "present" to the call, a quorum is present and the House is ready to proceed with its business.

Further proceedings under the call will be dispensed with.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Gelfand for Mr. FINEMAN because of illness.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess of one hour for the purpose of holding a Democratic and a Republican Caucus. The Chair hears none.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SARRAF asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1105.

An Act providing for acceptance as a donation of a building known as Patients Store and Library at the Norristown State Hospital this structure to be owned and maintained by the Commonwealth as a part of the Norristown State Hospital

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

An Act providing for acceptance as a donation of a building known as Patients Store and Library at the Norristown State Hospital this structure to be owned and maintained by the Commonwealth as a part of the Norristown State Hospital

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1491, entitled:

An Act requiring the office of register of wills and the office of the prothonotary in cities of the first class to be closed on Saturdays for the transaction of business and authorizing certain actions to be performed in that office on the day succeeding the day required by law

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1775, entitled:

An Act amending the act of August 5, 1941 (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Common wealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," further regulating provisional appointments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1776, entitled:

An Act to further amend section two hundred five of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State Departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by restoring the director to the classified service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1777, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further defining the powers of the Department of Property and Supplies relating to automobiles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1795, entitled:

An Act to further amend the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by increasing the investment powers of State administrative departments boards commissions or officers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 541, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating the General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreement with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering the General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," authorizing the sale, transfer and conveyance of property or interest therein.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 681, entitled:

An Act amending the act of January 5 1952 (P. L. 1833) entitled " An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Socal Security Act as amended creating the State Agency and conferring powers and imposing duties upon the State Agency authorizing the State Agency to enter into agreements with the Fefderal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employe contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations" authorizing the State Agency to enter into agreements with the Secretary of Health Education and Welfare further declaring the policy of the General Assembly redefining certain terms providing for contributions by employes of the Commonwealth or political subdivisions and providing for a referendum and certification thereof

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1393, entitled:

An Act amending clauses (1) and (2) of section 2 of the act of June 28, 1951 (P. L. 927), entitled "An act giving liens against real property priority over each other in point of time; fixing the time from which priorities extend; and imposing duties on judges and certain court and county officers and employes" provide that future advances made by a mortgagee, or by a grantee of a defeasible deed in the nature of a mortgage, up to the original amount of the mortgage or deed shall have the same priority and lien as the original mortgage or deed.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LOPRESTI. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1755, entitled:

An Act amending the act of June 27 1947 (P. L. 1095) entitled as amended "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permt to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines providing for appeals and imposing penalties and making appropriations" further regulating strip mining operations making changes with respect to backfilling restoration accumulaton of water permits bonds penalties and fees and providing for filing of maps

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 722, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicls, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposed penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of registration plates to newspaper, newsreel or television photographers.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

TIME EXTENDED ON BILL

Mr. KENT asked and obtained unanimous consent to extend the time five days on House Bill No. 1685, Printer's No. 949, on page 6 of today's calendar, bills on second reading postponed.

APPROPRIATION BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 54 as follows:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Bloomsburg State Teachers College and for the Commonwealth's share of expenses incurred by the town of Bloomsburg in connection therewith.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars ($15,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for payment of the cost of necessary construction and improvements to the sanitary and surface drainage sewage disposal system at the Bloomsburg State Teachers College and for the Commonwealth's share of expenses incurred by the town of Bloomsburg in connection therewith

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boies,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, P. G.,	Toll,
Cioffi,	Johnson,	Murray, H. P.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, J. J.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Erb,	Kratz,	Petrosky,	Welsh,
Ewing,	Kubacki,	Polaski,	Wescott,
Eilberg,	Lafore,	Polen,	Wheeler,
Eshleman,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews, Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 200 as follows:

An Act making an appropriation to the Department of Property and Supplies for the purchase of fire fighting equipment for the Scotland School for Veterans' Children

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars ($15,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the purchase of fire fighting apparatus and equipment to be used at the Scotland School for Veterans' Children at Scotland

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Rubin,
Amarando,	Garlock,	Mahan,	Rudisill,
Anderson, M. S.,	Gelfand,	Markley,	Sarraf,
Anderson, S. A.,	George,	Maxwell,	Scarcelli,
Ashton,	Gibb,	McCann,	Schuster,
Auker,	Gibson,	McCormack,	Sherman,
Banker,	Goldstein,	McGee,	Sigman,
Barnatovich,	Gramlich,	McInroy,	Smith, C. C.,
Bazin,	Greenwood,	McKeever,	Smith, Wm. B.,
Bell,	Guss,	McLaughlin,	Snider,
Blair,	Guthrie,	McWherter,	Stank,
Boles,	Hamilton, R. K.,	Meholchick,	Stebbins,
Bonner,	Hamilton, W. H.,	Metz,	Steckel,
Boory,	Hass,	Mikula,	Stephens,
Bower,	Haudenshield,	Miller,	Stevenson,
Branca,	Heavey,	Mills,	Stone,
Breisch,	Helm,	Monroe,	Stoner,
Brennan, A. P.,	Henzel,	Moody,	Strausser,
Brennan, J. J.,	Hewitt,	Moran,	Stroup,
Brenninger,	Hocker,	Moscrip,	Swartz,
Breth,	Holt,	Muldowney,	Taylor,
Brown,	Horst,	Mullen,	Thomas,
Bucchin,	Houk,	Munley,	Thompson,
Capano,	Isaacs,	Murphy,	Toll,
Cianfrani,	Jenkins,	Murray, H. P.,	Tompkins,
Cioffi,	Johnson,	Murray, J. J.,	Toomey,
Cochran,	Jones, G. E.,	Murray, P. G.,	Varallo,
Comer,	Jones, T. H. W.,	Musto,	Varner,
Connelly,	Jump,	Needham,	Vaughan,
Curwood,	Kamyk,	Ogilvie,	Verona,
Davis,	Keller,	Olsen,	Wall,
Donahue,	Kent,	O'Neil,	Wallace,
Donaldson,	Knecht,	Pacchioli,	Walsh,
Dougherty,	Kolankiewicz,	Parry,	Wargo,
Down,	Kooker,	Pashley,	Weidner,
Ehrgood,	Kornick,	Paulhamus,	Welsh,
Eilberg,	Kratz,	Petrosky,	Wescott,
Erb,	Kubacki,	Polaski,	Wheeler,
Eshleman,	Lafore,	Polen,	Whitenight,
Ewing,	Lawyer,	Pomeroy,	Willaredt,
Farabaugh,	Leiby,	Price,	Williams,
Filo,	Leisey,	Pursley,	Wood,
Flint,	Leonard,	Readinger,	Worley,
Floyd,	Leven,	Reibman,	Yetter,
Flynn,	Light,	Reidenbach,	Yetzer,
Foster,	Limper,	Renwick,	Young,
Frank,	Lippincott,	Rigby,	Ziegler,
Frascella,	Lopresti,	Rosen,	Andrews,
Frost,	Lovett,	Rovansek,	Speaker
		Royer,	

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 320 as follows:

An Act making an appropriation to the Department of Commerce for the advertisement and advancement of Pennsylvania as a resort and travel area

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is appropriated to the Department of Commerce for the purpose of advertising and advancing this Commonwealth as a great resort and travel area including the payment of general expenses and maintenance salaries wages or other compensation of the department in connection with this work

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adam,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Breth,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Erb,	Kratz,	Petrosky,	Welsh,
Eshleman,	Kubacki,	Polaski,	Wescott,
Ewing,	Lafore,	Polen,	Wheeler,
Eilberg,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,

Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews,
Gaffney,	Magee,	Royer,	Speaker

NAYS—1

Auker,

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 514 as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase certain lands adjacent to the Pennsylvania Farm Museum of Landis Valley property providing for the control maintenance and improvement thereof and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission is authorized to acquire by purchase in the name of the Commonwealth a tract or tracts of land adjoining the Pennsylvania Farm Museum of Landis Valley property of the Commonwealth of Pennsylvania in Manheim Township Lancaster County Pennsylvania and in particular a tract comprising approximately two and three-quarters acres along the eastern boundary thereof for the purpose of enlarging the Pennsylvania Farm Museum of Landis Valley property and of providing direct and safe access to this property from State Highway Number 222

Section 2 The Pennsylvania Historical and Museum Commission is charged with the control maintenance and improvement of such tract or tracts when and if acquired and the tract or tracts shall be administered as a part of the Pennsylvania Farm Museum of Landis Valley property

Section 3 The sum of eight thousand dollars ($8000) or so much thereof as may be necessary is appropriated to the Department of Property and Supplies for the payment of the costs of acquiring such tract or tracts of land for the payment of any additional expenses incurred in connection therewith and for grading clearing and improvement of the tract or tracts in accordance with plans and specifications approved by the Pennsylvania Historical and Museum Commission Payment for the said appropriation shall be made by requisition of the Secretary of the Department of Property and Supplies in the manner provided by law

Section 4 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Bower,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murray, H. P.,	Thompson,
Cianfrani,	Jenkins,	Murray, J. J.,	Toll,
Cioffi,	Johnson,	Murray, P. G.,	Tompkins,
Cochran,	Jones, G. E.,	Murphy,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki,	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews,
			Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 647 as follows:

An Act amending the act June 12 1951 (P L 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" fixing the date for liability of costs of patient care

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 701 act of June 12 1951 (P L 533) known as "The Mental Health Act of 1951" amended January 14 1952 (P L 2053) are amended to read

Section 701 Liability for Costs of Care of Patients

(a) Except as otherwise specifically provided in this act liability for all costs of care of any patient in any State institution is hereby imposed in the following order against

(1) The patient's real and personal property

(2) The persons liable for the patient's support

(3) The Commonwealth or in the case of an inebriate the county or institution district in which he resides

(b) Liability for costs of care of patients committed upon order of the court to any institution or to any institution district or to the Department of Public Welfare of cities of the first class for placement in any institution shall be imposed from the date of the court order as provided in paragraph (a)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Isaacs,	Meholchick,	Stank,
Bonner,	Hamilton, R. K.,	Metz,	Stebbins,
Boory,	Hamilton, W. H.,	Mikula,	Steckel,
Bower,	Hass,	Miller,	Stephens,
Branca,	Haudenshield,	Mills,	Stevenson,
Breisch,	Heavey,	Monroe,	Stone,
Brennan, A. P.,	Helm,	Moody,	Stoner,
Brennan, J. J.,	Henzel,	Moran,	Strausser,
Brenninger,	Hewitt,	Moscrip,	Stroup,
Breth,	Hocker,	Muldowney,	Swartz,
Brown,	Holt,	Mullen,	Taylor,
Bucchin,	Horst,	Munley,	Thomas,
Capano,	Houk,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki,	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews, Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 703, Printer's No. 199,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 773, as follows:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created a commission to be known as the "Bituminous Mine Law Study Commission" which shall consist of seven members one of whom shall be the Secretary of Mines three of whom shall represent the bargaining agent of the soft coal mining industry and three of whom shall represent the bituminous operators The Goverinor shall appoint the members representing the operators and the bargaining agent The commission shall organize at the call of the Governor by electing a chairman and secretary The secretary need not be a member of the commission The members of the commission shall serve without compensation but shall be reimbursed for all expenses incurred in the discharge of their duties Vacancies occuring in the membership of the commission shall be filled by appointment by the Governor

Section 2 It shall be the duty of the commisison to make a commplete study and investigation of the existing laws of the Commonwealth relating to the production and mining of bituminous coal for the purpose of revising codifying and modernizing the laws to the end that miners employed in bituminous coal mines are afforded the greatest degree of protection and safety consistent with modern methods and machinery available in such industry

Section 3 The commission shall have power to employ and fix the compensation of engineers experts assistants clerks stenographers and other employes as may be deemed necessary to carry out the work of the commission The commission shall require and secure the cooperation of the Department of Mines and all State officials who are charged with any duties and responsibilities relating to the administration and enforcement of the existing laws relating to bituminous coal mines

Section 4 The commisison shall make a final report to the Governor and the General Assembly on or before January 15, 1957 together with proposed legislation as it deems necessary to carry its recommendations into effect

Section 5 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Bituminous Mine Law Study Commission for the payment of expenses of the members of the commission for the payment of the compensation and expenses of the secretary engineers experts assistants clerks stenographers and other employes of the commission for the purchase of supplies materials and equipment for printing postage telephone telegraph rent and miscellaneous expenses and generally for the purposes of carrying into effect the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adam,	Gaffney,	Mahan,	Rubin,
Amarando,	Garlock,	Markley,	Rudisill,
Anderson, M. S.,	Gelfand,	Maxwell,	Sarraf,
Anderson, S. A.,	George,	McCann,	Scarcelli,
Ashton,	Gibb,	McCormack,	Schuster,
Auker,	Gibson,	McGee,	Sherman,
Banker,	Goldstein,	McInroy,	Sigman,
Barnatovich,	Gramlich,	McKeever,	Smith, C. C.,
Bazin,	Greenwood,	McLaughlin,	Smith, Wm. B.,

Bell,	Guss,	McWherter,	Snider,
Blair,	Guthrie,	Meholchick,	Stank,
Boies,	Hamilton, R. K.,	Metz,	Stebbins,
Bonner,	Hamilton, W. H.,	Mikula,	Steckel,
Boory,	Hass,	Miller,	Stephens,
Bower,	Haudenshield,	Mills,	Stevenson,
Branca,	Heavey,	Monroe,	Stone,
Breisch,	Helm,	Moody,	Stoner,
Brennan, A. P.,	Henzel,	Moran,	Strausser,
Brennan, J. J.,	Hocker	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Capano,	Jenkins,	Murray, H. P.,	Toll,
Cianfrani,	Johnson,	Murray, J. J.,	Tompkins,
Cioffi,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cochran,	Jones, T. H. W.,	Musto,	Varallo,
Comer,	Jump,	Needham,	Varner,
Connelly,	Kamyk,	Ogilvie,	Vaughan,
Curwood,	Keller,	Olsen,	Verona,
Davis,	Kent,	O'Neil,	Wall,
Donahue,	Knecht,	Pacchioli,	Wallace,
Donaldson,	Kolankiewicz,	Parry,	Walsh,
Dougherty,	Kooker,	Pashley,	Wargo,
Down,	Kornick,	Paulhamus,	Weidner,
Ehrgood,	Kratz,	Petrosky,	Welsh,
Eilberg,	Kubacki,	Polaski,	Wescott,
Erb,	Lafore,	Polen,	Wheeler,
Eshleman,	Lawyer,	Pomeroy,	Whitenight,
Ewing,	Leiby,	Price,	Willaredt,
Farabaugh,	Leisey,	Pursley,	Williams,
Filo,	Leonard,	Readinger,	Wood,
Flint,	Leven,	Reibman,	Worley,
Floyd,	Light,	Reidenbach,	Yetter,
Flynn,	Limper,	Renwick,	Yetzer,
Foster,	Lippincott,	Rigby,	Young,
Frank,	Lopresti,	Rosen,	Ziegler,
Frascella,	Lovett,	Rovansek,	Andrews,
Frost,	Magee,	Royer,	Speaker

NAYS—0

Hewitt,

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 887, as follows:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Shippensburg State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Shippensburg in connection therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty thousand dollars ($60,000) or as much thereof as is necessary is appropriated to the Department of Property and Supplies for payment of the cost of necessary construction and improvements to the sanitary and surface drainage sewage disposal system at the Shippensburg State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Shippensburg in connection therewith

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boies,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews,
			Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 905, as follows:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania to provide improved facilities for female juveniles committed by the courts of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ninety-five thousand dollars ($95,000) or as much thereof as may be necessary is hereby appropriated to the Sleighton Farm School for Girls in the County of Delaware Commonwealth of Pennsylvania for the purpose of providing needed facilities for female juveniles committed to the school by the courts of the Commonwealth

Section 2 The moneys appropriated by this act are to be used for the following purposes

(1) Fifty-five thousand dollars ($55,000) for the remodeling of the Lucretia Mott Cottage to provide for an adequate infirmary and facilities for particularly disturbed girls

(2) Forty thousand dollars ($40,000) to install heating facilities in each of the sleeping rooms in the residence cottages occupied by the girls

Section 3 The appropriation hereby made shall be a lien on the buildings in accordance with the provisions of the act of June 9 1911 (P. L. 736) entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" and its amendments and shall be collectible as therein provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Rovansek,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boies,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett.	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 914 as follows:

An Act reenacting and amending the act of May 23, 1949 (P. L. 1661) entitled as amended "An act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses" extending the act to include school districts of the first class A

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of and the act of May 23, 1949 (P. L. 1661) enttiled as amendedd "An act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses" reenacted and amended May 29, 1951 (P. L. 493) are reenacted and amended to read

AN ACT

To impose a tax on real estate for public school purposes in school districts of the first class and of the first class A for current expenses

Section 1 The Board of Public Education in school districts of the first class and of the first class A shall levy annually on or after the second Monday of November and before the first Monday of December next following a tax of not less than one or more than one and one-half mills on each dollar of the total assessment of all real property assessed and certified for taxation in said district

Section 2 The taxes and penalties collected under the provisions of this act shall be used by such school district for general public school purposes

Section 3 The tax authorized to be levied under the provisions of this act shall be in addition to any other taxes any school [district] districts of the first class [is] and of the first class A are empowered to levy and collect under any existing law

Section 4 The taxes which are levied under the provisions of this act shall be collected at the same time in the same manner with like authority and subject to the same discounts and penalties as other real estate taxes for school purposes are collected

Section 2 This reenacting and amending act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Rovansek,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boies,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,

Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Tompkins,
Cianfrani,	Jenkins,	Murray, H. P.,	Thompson,
Cioffi,	Johnson,	Murray, J. J.,	Toll,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Erb,	Kratz,	Petrosky,	Welsh,
Eshleman,	Kubacki,	Polaski,	Wescott,
Ewing,	Lafore,	Polen,	Wheeler,
Eilberg,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 917 as follows:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for equal reimbursement to school districts of the first class A and first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (d) of section 2502 act of March 10, 1949 (P. L. 30) known as the "Public Schol Code of 1949" amended August 19, 1953 (P. L. 1088, 1169 and 1210) and August 21, 1953 (P. L. 1223) is amended to read

Section 2502 Payments on Account of Instruction * * *

(d) For no year shall any school district or vocational school district receive less than the minimum subsidy per teaching unit nor shall any school district of the first class A [during the school year 1953-1954 for the school year 1952-1953 or during the school year 1954-1955 for the school year 1953-1954] each year receive less per teaching unit than the amount received by any district of the first class

* * *

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boies,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews, Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1280 as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire tracts of land in the Borough of Edinboro Erie County for use of the Edinboro State Teachers' College and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania for use of the Edinboro State Teachers' College all or any number less than all of the following seven tracts of land in the Borough of Edinboro and County of Erie and Commonwealth of Pennsylvania bounded and described

Tract No 1 Bounded on the north by lands of the Edin-

boro State Teachers' College on the east by lands of the Edinboro State Teachers' College on the south by land formerly of Joseph Weber on the west by Meadville Street containing about 13,000 square feet of land more or less and having erected thereon a frame dwelling

And being the same property conveyed to Charles T Hawkins et al by deed of Glenn White single dated August 15, 1940 and recorded August 23, 1940 in Erie County Deed Book Volume 403 at page 207

Tract No. 2 Beginning at the northwest corner of land now or formerly of Priscilla Sensor on the east margin of Meadville Street thence northerly along the margin of said Meadville Street 55 feet to a post thence eastwardly along land now or formerly of Charles Hawkins and parallel with the north line of land of said Sensor 200 feet to a post thence southwardly along land of the State Teachers' College 55 feet to a post thence westerly along land of said Sensor 205 feet more or less to the place of beginning containing 40½ perches of land more or less and having erected thereon a frame dwelling house and garage

And being the same property conveyed to Daniel C Stone and Laura C Stone his wife by deed of Harry W Earlley and Dorothy S Earlley his wife dated September 19, 1953 and recorded September 21 1953 in Erie County Deed Book Volume 660 at page 398

Tract No 3 Commencing at a post on the east margin of Meadville Street and land of Joseph Weber thence eastwardly along the south line of said Weber 200 feet to a post and land of State Normal School thence southwardly along the west line of land of said Normal School 60 feet to a post and land of L Blanden thence westwardly along the north line of said Blandens 200 feet to the east margin of aforesaid Meadville Street to a post thence northwardly along the east margin of said Meadville Street 60 feet to the place of beginning containing 44 square rods of land more or less

And being the same property conveyed to Anna Roth by deed of Priscilla Sensor widow dated March 1 1939 and recorded July 27 1940 in Erie County Deed Book Volume 403 at page 42

Tract No 4 Commencing at a post in the east margin of Meadville Street leading from Edinboro to Meadville the southwest corner of lot formerly owned by O W Mills now owned by M M Wellman thence easterly along the south line of said lot 200 feet to the southwest corner of said M M Wellman lot thence southwardly parallel with the aforesaid Meadville Street 60 feet to a post thence westwardly parallel with the north line of the same 200 feet to the margin of the aforementioned Meadville Street thence northerly along the east margin of the aforesaid Meadville Street 60 feet to the place of beginning containing 44 square rods of land more or less Bounded on the north by the aforesaid Mills lot on the east and south by land formerly owned by B M Sherwood on the south by lot of Deam and on the west by aforesaid Meadville Street

And being the same property conveyed to Clark B Webster and DeLora Webster his wife by deed of Elaine Blanden Cooney and Willis Cooney her husband dated February 19 1940 and recorded April 1 1940 in Erie County Deed Book Volume 389 at page 298

Tract No 5 Beginning at a post in the east margin of the road leading from Edinboro to Meadville at the southwest corner of land of Clark Webster thence eastwardly along the south line of said Webster land 200 feet to the southeast corner of the said Webster land and the west margin of lands of Edinboro State Teachers' College thence southwardly along the west margin of Edinboro State Teachers' College property 123.08 feet to a post thence in a westwardly direction along the north line of lands of Robert Randall 207.7 feet to the east margin of Meadville Street thence northwardly along the east margin of Meadville Street 66.3 feet to the place of beginning having erected thereon a frame house and frame barn

And being the same property conveyed to C Kenneth Freeman and Rachel M Freeman his wife by deed of Norton M Lane and Agnes G Lane his wife dated April 12 1952 and recorded April 28 1952 in Erie County Deed Book Volume 621 at page 517

Tract No 6 Beginning at a point in the east line of Meadville Street at a distance of 46.16 feet northwardly from the northeast corner of Darrow Road and Meadville Street thence in an eastwardly direction on a line with an angle of 119 degrees 30½ minutes being the northeast angle off the east line of Meadville Street and a distance along said angling line of 229.27 feet to a point said point being 200 feet east of the east line of Meadville Street and measured at right angles therefrom thence northwardly in a line parallel with the east line of Meadville Street and 200 feet distant therefrom 123.08 feet to a point thence westwardly in a diagonal direction 207.7 feet to the east line of Meadville Street the above described line having a northeast angle of 105 degrees 57 minutes off of Meadville Street thence southwardly along the east line of Meadville Street 66.3 feet to the place of beginning

And being the same property conveyed to Robert M Randall and Lena G Randall his wife by deed of the First National Bank of Edinboro dated November 3 1937 and recorded November 15 1937 in Erie County Deed Book Volume 382 at page 164

Tract No 7 Beginning at a post in the margin of the public road leading from Edinboro to Meadville now known as Meadville Street at the southwest corner of lot of L Howland thence east along said L Howland lot 135 feet thence south by land of the State Normal School by line at right angles with the Perry or Darrow Road to said Perry or Darrow Road thence west by the Perry or Darrow Road to Meadville Street thence north by said Meadville Street to the place of beginning containing 35 rods of land more or less

And being the same property conveyed to Katherine H Sallee by deed of Marion S Hillyer widow dated September 28 1937 and recorded September 28 1937 in Erie County Deed Book Volume 376 at page 788

Section 2 The tracts shall not be acquired until the titles have been approved by the Department of Justice

Section 3 The sum of one hundred thousand dollars ($100,000) or as much thereof as is necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase prices and incidental expenses including the completion of abstracts of title

Section 4 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Toll,
Cianfrani,	Jenkins,	Murray, H. P.,	Thompson,

Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki,	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews, Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1295 as follows:

An Act making an appropriation to the Department of Agriculture to assist the Commonwealth's 4-H Club and Future Farmers of America dairy show program by paying the expenses of holding the six existing 4-H Dairy Club and F F A district dairy shows and in addition a State-wide show to be held in the Fall of the year as preliminary to the State Farm Show

Whereas It has been demonstated that the work of the 4-H Dairy Clubs and the Future Farmers of America has been instrumental in developing an interest in Agriculture among the rural youth of Pennsylvania and provides supervised training for the farm boys and girls and encourages qualities of leadership among our youth

Whereas A large proportion of Pennsylvania's farm people are encouraged in dairy farming

Whereas It has been demonstrated that the apprentice training offered 4-H and F F A youths has encouraged a scientific approach to agriculture and thus increased efficiency on Pennsylvania farms

Whereas The most effective apprentice training for 4-H and F F A members on selection raising fitting and showing of dairy animals has resulted in the creation of local county and district shows and also has created the need for a State-wide dairy show The county and district shows have been financed by local contributions

Whereas The fast expansion of these shows and the necessity of further expansion to meet the educational requirements of farmers of today has made it impossible to finance these shows beyond the county level entirely by local contributions Therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars ($30,000) or as much thereof as may be necessary is hereby specifically appropriated for the next biennium to the Department of Agriculture to pay the expenses of holding six annual 4-H dairy club and Future Farmers of America district dairy shows and one State-wide show to be held in the Fall as preliminary to the State Farm Show

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adam,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Toll,
Cianfrani,	Jenkins,	Murray, H. P.,	Tompkins,
Cioffi,	Johnson,	Murray, J. J.,	Thompson,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki,	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews, Speaker
Gaffney,	Magee,	Royer,	

NAYS—1

Auker,

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1314, Printer's No. 883

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1340, as follows:

An Act amending the act of March 10 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing for payments to school districts on account of pupil transportation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (1) and (2) of section 2541 act of March 10 1949 (P L 30) known as the "Public School Code of 1949" clause (1) amended April 14 1949 (P L 456) and May 11 1949 (P L 1195) clause (2) amended July 27 1953 (P L 629) are amended to read

Section 2541 Payments on Account of Pupil Transportation * * *

Such payments for pupil transportation shall be made in the following cases

(1) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile to districts of the third class operating schools jointly with districts of the fourth class or with other districts of the third class entitled to payment on account of transportation and to merged or union school districts in which one or more such districts are a component [part] for the transportation of elementary school pupils residing within any part of the district last served by any elementary school closed since the first Monday of July one thousand nine hundred seven or within a district all of whose schools have been closed or who are assigned to a training school of a State teachers' college and in each case who reside one and one-half (1½) miles or more from the school to which they are assigned

(2) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile and to merged or union school districts in which one or more such districts are a component [part] for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest school in session and to districts of the third class operating schools jointly with districts of the fourth class or with other districts of the third class entitled to payment on account of transportation for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest jointly operated school in session offering the proper grades

* * *

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adam,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boies,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Toll,
Cianfrani,	Jenkins,	Murray, H. P.,	Tompkins,
Cioffi,	Johnson,	Murray, J. J.,	Thompson,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews,
Gaffney,	Magee,	Royer,	Speaker

NAYS—1

Auker,

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1464, as follows:

An Act directing the Department of Highways to transfer the Searight Toll House to the Pennsylvania Historical and Museum Commission providing for the repair of the Toll House authorizing the Department of Property and Supplies to convey the Toll House to the Westmoreland-Fayette Historical Society and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways is hereby directed to transfer to the Pennsylvania Historical and Museum Commission the Searight Toll House in Fayette County on U S Route 40 approximately four miles from Uniontown Pennsylvania also known as Toll House No 3 on the National Road more fully described as follows

All that certain tract of land situated on the Cumberland Road in Menallen Township Fayette County Pennsylvania bounded and described as follows

Beginning at a post on the south side of the said Cumberland Road thence south 48 degrees and 10 minutes west 60.5 feet to a post thence north 41 degrees and 50 minutes west 180 feet to a post thence north 48 degrees and 10 minutes east 60.5 feet on the line of Cumberland Road thence by the same south 41 degrees and 50 minutes east 180 feet to the place of beginning containing ¼ of an acre strict measure on which there has been erected a Toll House

Being the same property conveyed by John Wood and Catherine Wood his wife to the Commissioners of the Cumberland Road by deed dated December 28 1938 and recorded in the Recorder's Office of Fayette County Pennsylvania in Deed Book W page 233

Section 2 The Pennsylvania Historical and Museum Commission is hereby directed to repair or contract for the repair of the Toll House to its original state

Section 3 When the Toll House has been repaired the Department of Property and Supplies with the consent and approval of the Governor and the Pennsylvania Historical and Museum Commission is hereby authorized to convey the Toll House and grounds to the Westmoreland-Fayette Historical Society in consideration of the covenant of that society to preserve and maintain the Toll House in a good state of repair and to maintain it as an historic monument open to visitation by the public

Section 4 The sum of twenty thousand dollars ($20,000) or as much thereof as is necessary is specifically appropriated to the Pennsylvania Historical and Museum Commission to be used for the payment of all expenses incurred in the repair of the Toll House

Section 5 This act shall take effect immediately.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Auker,	Goldstein,	McGee,	Sherman,
Banker,	Gramlich,	McInroy,	Sigman,
Barnatovich,	Greenwood,	McKeever,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Stank,
Boies,	Hamilton, W. H.,	Metz,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Capano,	Jenkins,	Murray, H. P.,	Toll,
Cianfrani,	Johnson,	Murray, J. J.,	Tompkins,
Cioffi,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cochran,	Jones, T. H. W.,	Musto,	Varallo,
Comer,	Jump,	Needham,	Varner,
Connelly,	Kamyk,	Ogilvie,	Vaughan,
Curwood,	Keller,	Olsen,	Verona,
Davis,	Kent,	O'Neil,	Wall,
Donahue,	Knecht,	Pacchioli,	Wallace,
Donaldson,	Kolankiewicz,	Parry,	Walsh,
Dougherty,	Kooker,	Pashley,	Wargo,
Down,	Kornick,	Paulhamus,	Weidner,
Ehrgood,	Kratz,	Petrosky,	Welsh,
Ellberg,	Kubacki,	Polaski,	Wescott,
Erb,	Lafore,	Polen,	Wheeler,
Eshleman,	Lawyer,	Pomeroy,	Whitenight,
Ewing,	Leiby,	Price,	Willaredt,
Farabaugh,	Leisey,	Pursley,	Williams,
Filo,	Leonard,	Readinger,	Wood,
Flint,	Leven,	Reibman,	Worley,
Floyd,	Light,	Reidenbach,	Yetter,
Flynn,	Limper,	Renwick,	Yetzer,
Foster,	Lippincott,	Rigby,	Young,
Frank,	Lopresti,	Rosen,	Ziegler,
Frascella,	Lovett,	Rovansek,	Andrews,
Frost,	Magee,	Royer,	Speaker
Gaffney			

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1535, as follows:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing budget estimates relating to travel costs of county and assistant county superintendents and of supervisors of special education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1068 act of March 10 1949 (P L 30) known as the "Public School Code of 1949" is amended to read

Section 1068 Expenses In addition to the foregoing salaries each county superintendent each assistant county superintendent and each supervisor of special education shall be entitled to receive annually the payment of actual and necessary expenses incurred in visiting schools within his district in attending educational meetings and in the performance of such other official duties as may be required of him by law In preparing the budget an average of seven hundred fifty dollars [($700)] ($750) shall be used in estimating the travel cost of county superintendents and in addition thereto an average of seven hundred fifty dollars [($700)] ($750) shall be used in estimating the travel cost of assistant county superintendents and supervisors of special education The Department of Public Instruction shall allocate the travel funds to the several counties in accordance with regulations to be determined by the Superintendent of Public Instruction Payments shall be made monthly on account of such expenses to county superintendents assistant county superintendents or supervisors of special education by requisition of the Superintendent of Public Instruction upon the Auditor General upon the production to him of itemized vouchers in the usual manner

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Auker,	Goldstein,	McGee,	Sherman,
Banker,	Gramlich,	McInroy,	Sigman,
Barnatovich,	Greenwood,	McKeever,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Stank,
Boies,	Hamilton, W. H.,	Metz,	Stebbins,
Bonner,	Hass,	Mikula,	Steckel,
Boory,	Haudenshield,	Miller,	Stephens,
Bower,	Heavey,	Mills,	Stevenson,
Branca,	Helm,	Monroe,	Stone,
Breisch,	Henzel,	Moody,	Stoner,
Brennan, A. P.,	Hewitt,	Moran,	Strausser,
Brennan, J. J.,	Hocker,	Moscrip,	Stroup,
Brenninger,	Holt,	Muldowney,	Swartz,
Breth,	Horst,	Mullen,	Taylor,
Brown,	Houk,	Munley,	Thomas,
Bucchin,	Isaacs,	Murphy,	Thompson,
Capano,	Jenkins,	Murray, H. P.,	Toll,
Cianfrani,	Johnson,	Murray, J. J.,	Tompkins,
Cioffi,		Murray, P. G.,	Toomey,

Cochran,	Jones, G. E.,	Musto,	Varallo,
Comer,	Jones, T. H. W.,	Needham,	Varner,
Connelly,	Jump,	Ogilvie,	Vaughan,
Curwood,	Kamyk,	Olsen,	Verona,
Davis,	Keller,	O'Neil,	Wall,
Donahue,	Kent,	Pacchioli,	Wallace,
Donaldson,	Knecht,	Parry,	Walsh,
Dougherty,	Kolankiewicz,	Pashley,	Wargo,
Down,	Kooker,	Paulhamus,	Weidner,
Ehrgood,	Kornick,	Petrosky,	Welsh,
Eilberg,	Kratz,	Polaski,	Wescott,
Erb,	Kubacki,	Polen,	Wheeler,
Eshleman,	Lafore,	Pomeroy,	Whitenight,
Ewing,	Lawyer,	Price,	Willaredt,
Farabaugh,	Leiby,	Pursley,	Williams,
Filo,	Leisey,	Readinger,	Wood,
Flint,	Leonard,	Reibman,	Worley,
Floyd,	Leven,	Reidenbach,	Yetter,
Flynn,	Light,	Renwick,	Yetzer,
Foster,	Limper,	Rigby,	Young,
Frank,	Lippincott,	Rosen,	Ziegler,
Frascella,	Lopresti,	Rovansek,	Andrews,
Frost,	Lovett,	Royer,	Speaker
Gaffney,	Magee,		

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1543, as follows:

An Act relating to the protection of forests and the control of forest pests declaring forest pests to be a public nuisance conferring powers and imposing duties on the Department of Forests and Waters providing for penalties making an appropriation and repealing inconsistent laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Purpose It is hereby declared to be the public policy of the General Assembly to control forest pests on or threatening forests of the Commonwealth in order to protect and preserve forest resources enhance the growth and maintenance of forests promote stability of forest-using industries aid in fire control by reducing the menace created by dying and dead trees conserve forest cover on watersheds and protect recreational areas wildlife and other values of the forest

Section 2 This act shall be known and may be cited as the "Forest Pest Act of 1955"

Section 3 Definitions The following words terms or phrases unless the context clearly indicates otherwise shall have the meaning ascribed to them in this section

(a) "Person" includes a corporation partnership and association as well as natural person and whenever used in any clause imposing a fine or imprisonment or both the term "person" as applied to "partnership" or "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof

(b) "Department" shall mean the Department of Forests and Waters

(c) "Secretary" shall mean the Secretary of the Department of Forests and Waters

(d) "Forest" shall mean a stand or potential stand of trees and other vegetation in association with the forest and occupying the same land area which may be valuable for timber production watershed or wildlife protection recreational uses or for other purposes

(e) "Forest pest" shall mean any insect or disease which shall in the opinion of the Secretary be harmful injurious or destructive to forests or timber

(f) "Control" includes prevent retard suppress eradicate or destroy

(g) "Infestation" includes actual potential incipient or emergency infestation or infection by forest pests

(h) "Timber" includes forest trees standing or down alive or dead

Section 4 Forests pests are hereby declared to be a public nuisance

Section 5 The department shall make surveys and investigations to determine the presence of infestations of forest pests For this purpose duly designated representatives of the department may enter at reasonable times on public and private lands for the purpose of conducting such surveys and investigations Said representatives shall always carry credentials and identification papers when entering private lands and if possible and practical shall consult the owners or persons in possession of said lands before entering upon private lands

Section 6 (a) Whenever the department finds that any area in the Commonwealth is infested or threatened to be infested with forest pests it shall determine whether measures of control are needed and are available and the area over which the control measures should be applied The department shall prescribe a proposed zone of infestation covering the area in which control measures are to be applied and shall publish notice of the proposal once a week for two successive weeks in one or more newspapers having a general circulation in the county or counties which are covered in whole or in part by the proposed zone

(b) Said notice shall include a description of the boundaries of the proposed zone of infestation and a time and place where owners of forest lands in the zone may show cause orally or in writing why the zone should or should not be established The department shall consider any statements received in determining whether the zone shall be established

Section 7 Upon the decision by the department that the establishment of a zone is necessary it shall forthwith be established Notice of the establishment of the zone shall thereupon be published in one or more newspapers having a general circulation in the county or counties which are covered in whole or in part by such zone

Section 8 Upon the establishment of the zone of infestation the department shall apply measures of infestation control on public and private forest and other lands within such zone and to any trees timber plants or shrubs thereon harboring or which may harbor the forest pests For this purpose the duly authorized representatives of the Department are authorized to enter upon any lands public or private within such zone The department may enter into agreements with owners of the lands or lessees with the approval of the owners in the zone covering the control work on their lands and fixing the pro rata basis on which the cost of such work will be shared between the department and any owner or lessee Provided the failure of the department to offer an agreement to or execute an agreement with any owner or lessee shall not impair the right of representatives of the department to enter on the lands of said owner to conduct control operations

Section 9 Upon completion of the infestation control measures in any zone of infestation the department shall prepare a certified statement of expenses incurred in carrying out such measures including expenses of owners covered by agreements entered into pursuant to section eight The statement shall show the amount which the department determines to be its share of the expenses The share of the department may include funds and the value of other contributions made available by the Federal government and other cooperators

Section 10 Whenever the department shall determine that forest pest control work within an established zone of infestation is no longer necessary or feasible the department shall abolish the zone

Section 11 The department may cooperate with the United States or agencies thereof other agencies of the

Commonwealth county or municipal government agencies of neighboring states or other public or private organizations or individuals and may accept such funds equipment supplies or services from cooperators and others as it may deem appropriate for use in carrying out this act The department may provide in agreements with the United States or its agencies for matching of Federal funds as required under laws of the United States relating to forest pests

Section 12 All moneys collected under the provisions of this act and such moneys as may be contributed or paid by the Federal government or any other public or private agency or person shall be paid into the General Fund of the State Treasury and are hereby appropriated out of the General Fund to the department for use in carrying out the purposes of this act in addition to such moneys as may be appropriated by the Legislature from time to time for the purposes of this act

Section 13 Any person who shall interfere with the actions of representatives of the department or its cooperators who are engaged in carrying out the provisions of this act shall be subject to the penalties outlined in section fourteen hereof

Section 14 Any person violating any of the provisions of this act shall upon conviction thereof in a summary proceeding be subject to a fine of not more than one hundred dollars ($100.00) for each offense and in case of nonpayment of such fines and costs to undergo imprisonment for a period of one (1) day for each dollar of fine and costs unpaid

Section 15 All acts or parts of acts inconsistent herewith are hereby repealed to the extent of such inconsistency

Section 16 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki,	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews, Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1573, as follows:

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Edinboro State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Edinboro in connection therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars ($15,000) or as much thereof as is necessary is appropriated to the Department of Property and Supplies for payment of the cost of necessary construction and improvements to the sanitary and surface drainage sewage disposal system at the Edinboro State Teachers College and for the Commonwealth's share of expense incurred by the Borough of Edinboro in connection therewith

Section 2 The sum appropriated shall be in addition to any sums heretofore appropriated for construction and improvement of the sewage disposal system and the Commonwealth's share of expenses in connection therewith

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Guss,	McInroy,	Sigman,
Bazin,	Gramlich,	McKeever,	Smith, C. C.,
Bell,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,

Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki,	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetzer,
Foster,	Limper,	Renwick,	Yetter,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews, Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1584, as follows:

An Act making an appropriation to the Department of Agriculture for the purpose of research to be conducted at the Pennsylvania State Agricultural Experiment Station at University Park Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five hundred thousand dollars ($500,000) or as much thereof as may be necessary is hereby appropriated to the Department of Agriculture for the two fiscal years beginning the first day of June 1955 for the purpose of research to be conducted at the Pennsylvania State Agricultural Experiment Station at University Park Pennsylvania

Section 2 The moneys appropriated by this act are to be used for the following purposes

(1) Research in the Department of Animal Husbandry $200,000

(2) Research in the Department of Dairy Science 150,000

(3) Research in the Department of Poultry Husbandry 150,000

These funds may be used for personnel equipment laboratory supplies wages buildings livestock animals or any other necessary items in conducting both basic or fundamental research as well as practical and applied research in the above three fields

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki,	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews, Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1592, as follows:

An Act amending the act of May 14 1907 (P. L. 197) entitled "An act to provide for the establishing and maintenance of one or more santaoria or colonies in Pennsylvania for the free care and treatment of indigent persons suffering from tuberculosis and making an appropriation therefor" extending its provisions to all persons suffering or suspected of suffering from tuberculosis

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 1 act of May 14 1907 (P. L. 197) entitled "An act to provide for the establishing and maintenance of one or more sanatoria or colonies in Pennsylvania for the free care and treatment of indigent persons suffering from tuberculosis and making an appropriation therefor" are amended to read

AN ACT

To provide for the establishing and maintenance of one or more sanatoria or colonies in Pennsylvania for the free care and treatment of [indigent] persons suffering or suspected of suffering from tuberculosis and making an appropriation therefor

Section 1 Be it enacted &c That one or more sanatoria or colonies be established in the State for the reception and treatment of [indigent persons affected with incipient tuberculosis and those so far advanced with the same disease that may be made comfortable and removed from their families and the people at large to prevent the spread of the contagion] persons affected or suspected of being affected with tuberculosis and removed from their families and people at large to prevent the spread of contagion

For these purposes the Department of Health with the approval of the Governor shall be authorized to acquire property erect buildings equip the same and do all things necessary to accomplish such work for the best interests of the people of this Commonwealth in curing and preventing tuberculosis

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adam,	Gelfand,	Markley,	Rubin,
Amarando,	George,	Maxwell,	Rudisill,
Anderson, M. S.,	Gibb,	McCann,	Sarraf,
Anderson, S. A.,	Gibson,	McCormack,	Scarcelli,
Ashton,	Goldstein,	McGee,	Schuster,
Barnatovich,	Gramlich,	McInroy,	Sherman,
Bazin,	Greenwood,	McKeever,	Sigman,
Bell,	Guss,	McLaughlin,	Smith, C. C.,
Blair,	Guthrie,	McWherter,	Smith, Wm. B.,
Boles,	Hamilton, R. K.,	Meholchick,	Snider,
Bonner,	Hamilton, W. H.,	Metz,	Stank,
Boory,	Hass,	Mikula,	Stebbins,
Bower,	Haudenshield,	Miller,	Steckel,
Branca,	Heavey,	Mills,	Stephens,
Breisch,	Helm,	Monroe,	Stevenson,
Brennan, A. P.,	Henzel,	Moody,	Stone,
Brennan, J. J.,	Hewitt,	Moran,	Stoner,
Brenninger,	Hocker,	Moscrip,	Strausser,
Breth,	Holt,	Muldowney,	Stroup,
Brown,	Horst,	Mullen,	Swartz,
Bucchin,	Houk,	Munley,	Taylor,
Capano,	Isaacs,	Murphy,	Thomas,
Cianfrani,	Jenkins,	Murray, H. P.,	Thompson,
Cioffi,	Johnson,	Murray, J. J.,	Toll,
Cochran,	Jones, G. E.,	Murray, P. G.,	Tompkins,
Comer,	Jones, T. H. W.,	Musto,	Toomey,
Connelly,	Jump,	Needham,	Varallo,
Curwood,	Kamyk,	Ogilvie,	Varner,
Davis,	Keller,	Olsen,	Vaughan,
Donahue,	Kent,	O'Neil,	Verona,
Donaldson,	Knecht,	Pacchioli,	Wall,
Dougherty,	Kolankiewicz,	Parry,	Wallace,
Down,	Kooker,	Pashley,	Walsh,
Ehrgood,	Kornick,	Paulhamus,	Wargo,
Eilberg,	Kratz,	Petrosky,	Weidner,
Erb,	Kubacki,	Polaski,	Welsh,
Eshleman,	Lafore,	Polen,	Wescott,
Ewing,	Lawyer,	Pomeroy,	Wheeler,
Farabaugh,	Leiby,	Price,	Whitenight,
Filo,	Leisey,	Pursley,	Willaredt,
Flint,	Leonard,	Readinger,	Williams,
Floyd,	Leven,	Reibman,	Wood,
Flynn,	Light,	Reidenbach,	Worley,
Foster,	Limper,	Renwick,	Yetter,
Frank,	Lippincott,	Rigby,	Yetzer,
Frascella,	Lopresti,	Rosen,	Young,
Frost,	Lovett,	Rovansek,	Ziegler,
Gaffney,	Magee,	Royer,	Andrews,
Garlock,	Mahan,		Speaker

NAYS—2

Auker,	Banker,

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1642, Printer's No. 947 and

House Bill No. 1643, Printer's No. 948

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1688, as follows:

An Act making an appropriation to the Department of Property and Supplies for the construction of armory facilities under certain conditions

Whereas the Federal Government has apportioned more than one and one-half million dollars to the Commonwealth of Pennsylvania for the construction of armory facilities in accordance with the provisions of the National Defense Act and the National Defense Facilities Act of 1950 and

Whereas the Department of Military Affairs has determined that regimental armories and other buildings are necessary for the use of the National Guard and

Whereas the Federal Government has agreed to pay seventy-five per centum of the cost of each such facility and the Commonwealth will pay twenty-five per centum of the cost of each facility and the Commonwealth has the necessary sites or land available for such construction without the necessity of appropriations for the purchase of such sites

The General Assembly of the Commonwealth hereby enacts as follows

Section 1 The sum of five hundred thousand dollars ($500,000.00) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to be used by the Department of Military Affairs for the construction expansion rehabilitation or conversion of armory facilities upon the condition that the Federal Government pays seventy-five per centum of the cost of each facility None of the money herein appropriated shall be used for the purchase of land

Section 2 The Federal and State moneys therein referred to shall be expended in accordance with The Administrative Code of 1929 and The Military Code of 1949.

Section 3 The appropriation herein made shall be available upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adam,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Auker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,

Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boies,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews,
Gaffney,	Magee,	Royer,	Speaker

NAYS—1

Banker,

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1689, as follows:

An Act making an appropriation to the Department of Property and Supplies for repair and improvements to the Pennsylvania Soldiers' and Sailors' Home at Erie

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty thousand dollars ($130,000) or as much thereof as is necessary is appropriated to the Department of Property and Supplies for payment of cost of necessary repairs and improvements to the Pennsylvania Soldier's and Sailors' home at Erie Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boies,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews,
			Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1699, as follows:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire land on which is located the Old Bradford House in the City of Washington Washington County providing for its repair authorizing the conveyance thereof to the Washington County Historical Society and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Historical and Museum Commission with the approval of the Governor is authorized to purchase in the name of the Commonwealth of Pennsylvania a tract of land in the City of Washington Washington County on which is erected the Old Bradford House from Charles W McWreath present owner

Section 2 The Pennsylvania Historical and Museum Commission is directed to repair or contract for the repair of the Old Bradford House to its original state

Section 3 When the Old Bradford House is repaired he Pennsylvania Historical and Museum Commission vith the approval of the Governor is authorized to con- ey the old Bradford House and grounds to the Wash- ington County Historical Society in consideration of the ovenant of that society to preserve and maintain the Old Bradford House in a good state of repair and to maintain t as an historic monument open to visitation by the public

Section 4 The land shall not be acquired until its title as been approved by the Department of Justice

Section 5 The sum of seventy-five thousand dollars ($75,000) or as much thereof as may be necessary is ap- propriated to the Pennsylvania Historical and Museum Commission for the payment of the purchase price and ncidental expenses including the completion of an ab- tract of title and for the repairing of the Old Bradford House

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas nd nays were taken and were as follows:

YEAS—196

Adam,	Gaffney	Magee,	Rovansek,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cochran,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Comer,	Johnson,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Oglivie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki,	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresto,	Rosen,	Ziegler,
Frost,	Lovett,	Royer,	Andrews, Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1727, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purchase of strip mined and adjacent areas and mineral rights on lands under the jurisdiction of the department

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars ($200,000) or as much thereof as is necessary is appropriated to the Department of Forests and Waters for purchase and payment of expenses incurred in acquiring strip mined and adjacent areas for development as State forests and parks and for the purchase and payment of expenses incurred in acquiring mineral rights on State forest or park lands under the jurisdiction of the Department of Forests and Waters

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Rovansek,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki,	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
		Rosen,	Ziegler,

Frascella,	Lopresti,	Royer,	Andrews,
Frost.	Lovett,		Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1728, as follows:

An Act making an appropriation to the Department of Property and Supplies for the purchase and installation of equipment for the Commonwealth Cafeteria and expense incident thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-six thousand dollars ($36,000) or as much thereof as is necessary is appropriated to the Department of Property and Supplies for the purchase and installation of kitchen equipment serving equipment and required alterations for the Commonwealth Cafeteria and for professional services and contingent expenses in connection therewith

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Verona,
Davis,	Keller,	Olsen,	Vaughan,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki,	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews,
			Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having vote in the affirmative, the question was determined in th affirmative.

Ordered, That the Clerk present the same to the Sena for concurrence.

Agreeably to order,

The House proceeded to the third reading and consi eration of House Bill No. 1732, as follows:

An Act lapsing unexpended and unencumbered balanc of certain appropriations from the Motor License Fund

The General Assembly of the Commonwealth of Penn sylvania hereby enacts as follows

Section 1 The unexpended and unencumbered balanc of appropriations made from the Motor License Fund the State Treasury by the General Assembly in the act May 31 1945 (Appropriation Acts page 45 Act No 62-A for the purpose of rebuilding county bridges in the act May 29 1945 (P L 1102) to townships of the second cla in the act of June 2 1947 (P L 393) to cities borough and townships of the first and second class and in th act of March 24 1949 (P L 315) to cities boroughs an townships of the first and second class which shall re main unexpended and unencumbered on the effectiv date of this act shall lapse on that date

Section 2 This act shall take effect immediately

And said bill having been read at length the third tim considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the ye and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B
Blair,	Guthrie,	McWherter,	Snider,
Boles,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,

Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews, Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1733, as follows:

An Act amending the act of September 29, 1951 (P. L. 1652) entitled "An act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on lands heretofore or about to be conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said lands and building to the Mercy-Douglass Hospital" clarifying the word hospital

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 1 act of September 29, 1951 (P. L. 1652) entitled "An act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on lands heretofore or about to be conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said lands and building to the Mercy-Douglass Hospital" are amended to read

An Act providing for the construction by The General State Authority of an addition of a mental medical and surgical hospital building to the Philadelphia State Hospital on lands heretofore or about to be conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said lands and buildings to the Mercy-Douglass Hospital

Section 1 An addition to Philadelphia State Hospital of mental medical and surgical hospital building is hereby authorized to be constructed by The General State Authority on those certain lands heretofore or about to be conveyed to it by Mercy-Douglass Hospital a corporation organized and existing under the laws of the Commonwealth of Pennsylvania and presently operating as a medical and surgical hospital in the City and County of Philadelphia which lands are bounded and described as follows

All those certain tracts of land situate in the Fortieth Ward of the City of Philadelphia County of Philadelphia and State of Pennsylvania more fully bounded and described as follows to wit

Beginning at a point being the most southwestern corner of Fiftieth Street and Woodland Avenue thence along the western line of Fiftieth Street south forty degrees thirty-two minutes thirty seconds east two hundred and thirty-six feet to a point thence the following courses and distances south forty-nine degrees twenty-seven minutes thirty seconds west ninety-eight feet to a point thence north forty degrees thirty-two minutes thirty seconds west one hundred eleven feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west thirty and five-tenths feet to a point thence south forty degrees thirty-two minutes thirty seconds east fifteen feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west one hundred forty-three feet to a point thence north forty degrees thirty-two minutes thirty seconds west fifteen feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west thirty and five-tenths feet to a point thence south forty degrees thirty-two minutes thirty seconds east one hundred eleven feet to a point thence north forty-nine degrees twenty-seven minutes thirty seconds east forty-seven feet to a point thence south forty degrees thirty-two minutes thirty seconds east fifty feet to a point thence south forty-nine degrees twenty-seven minues thirty seconds west one hundred forty-five feet to a point along the eastern line of Fifty-first Street as projected thence along the aforesaid line of Fifty-first Street as projected north forty degrees thirty-two minutes thirty seconds west two hundred eighty-six feet to its intersection with the southern line of Woodland Avenue and thence along Woodland Avenue north forty-nine degrees twenty-seven minutes thirty seconds east four hundred feet to a point the place of beginning

Containing 1.862 acres more or less and upon erection construction and completion said hospital building shall be constituted an addition to the Philadelphia State Hospital

Section 2 This act shall take effect immediately.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Garlock,	Magee,	Royer,
Amarando,	Gelfand,	Mahan,	Rubin,
Anderson, M. S.,	George,	Markley,	Rudisill,
Anderson, S. A.,	Gibb,	Maxwell,	Sarraf,
Ashton,	Gibson,	McCann,	Scarcelli,
Auker,	Goldstein,	McCormack,	Schuster,
Banker,	Gramlich,	McGee,	Sherman,
Barnatovich,	Greenwood,	McInroy,	Sigman,
Bazin,	Guss,	McKeever,	Smith, C. C.,
Bell,	Guthrie,	McLaughlin,	Smith, Wm. B.,
Blair,	Hamilton, R. K.,	McWherter,	Snider,
Boies,	Hamilton, W. H.,	Meholchick,	Stank,
Bonner,	Hass,	Metz,	Stebbins,
Boory,	Haudenshield,	Mikula,	Steckel,
Bower,	Heavey,	Miller,	Stephens,
Branca,	Helm,	Mills,	Stevenson,
Breisch,	Henzel,	Monroe,	Stone,
Brennan, A. P.,	Hewitt,	Moody,	Stoner,
Brennan, J. J.,	Hocker,	Moran,	Strausser,
Brenninger,	Holt,	Moscrip,	Stroup,
Breth,	Horst,	Muldowney,	Swartz,
Brown,	Houk,	Mullen,	Taylor,
Bucchin,	Isaacs,	Munley,	Thomas,
Capano,	Jenkins,	Murphy,	Thompson,
Cianfrani,	Johnson,	Murray, H. P.,	Toll,
Cioffi,	Jones, G. E.,	Murray, J. J.,	Tompkins,
Cochran,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Comer,	Jump,	Musto,	Varallo,
Connelly,	Kamyk,	Needham,	Varner,
Curwood,	Keller,	Ogilvie,	Vaughan,
Davis,	Kent,	Olsen,	Verona,
Donahue,		O'Neil,	Wall,

Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki,	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews,
Gaffney,			Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1834, as follows:

An Act making an appropriation to the House of Representatives of the General Assembly for the payment of mileage of members and incidental expenses for the balance of the legislative session of 1955

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as is necessary are appropriated to the House of Representatives of the General Assembly for the purposes hereinafter set forth for the balance of the legislative session of 1955 The sums hereby appropriated shall be in addition to any sums heretofore appropriated for the purposes

To the House of Representatives

For the payment of the mileage of two hundred ten members of the House of Representatives the sum of thirty-nine thousand one hundred dollars ($39,100)

For the payment of incidental expenses of the House of Representatives to be expended by the Chief Clerk the sum of fifteen thousand dollars ($15,000)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gaffney,	Magee,	Royer,
Amarando,	Garlock,	Mahan,	Rubin,
Anderson, M. S.,	Gelfand,	Markley,	Rudisill,
Anderson, S. A.,	George,	Maxwell,	Sarraf,
Ashton,	Gibb,	McCann,	Scarcelli,
Auker,	Gibson,	McCormack,	Schuster,
Banker,	Goldstein,	McGee,	Sherman,
Barnatovich,	Gramlich,	McInroy,	Sigman,
Bazin,	Greenwood,	McKeever,	Smith, C. C.,
Bell,	Guss,	McLaughlin,	Smith, Wm. B.,
Blair,	Guthrie,	McWherter,	Snider,
Boies,	Hamilton, R. K.,	Meholchick,	Stank,
Bonner,	Hamilton, W. H.,	Metz,	Stebbins,
Boory,	Hass,	Mikula,	Steckel,
Bower,	Haudenshield,	Miller,	Stephens,
Branca,	Heavey,	Mills,	Stevenson,
Breisch,	Helm,	Monroe,	Stone,
Brennan, A. P.,	Henzel,	Moody,	Stoner,
Brennan, J. J.,	Hewitt,	Moran,	Strausser,
Brenninger,	Hocker,	Moscrip,	Stroup,
Breth,	Holt,	Muldowney,	Swartz,
Brown,	Horst,	Mullen,	Taylor,
Bucchin,	Houk,	Munley,	Thomas,
Capano,	Isaacs,	Murphy,	Thompson,
Cianfrani,	Jenkins,	Murray, H. P.,	Toll,
Cioffi,	Johnson,	Murray, J. J.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, P. G.,	Toomey,
Comer,	Jones, T. H. W.,	Musto,	Varallo,
Connelly,	Jump,	Needham,	Varner,
Curwood,	Kamyk,	Ogilvie,	Vaughan,
Davis,	Keller,	Olsen,	Verona,
Donahue,	Kent,	O'Neil,	Wall,
Donaldson,	Knecht,	Pacchioli,	Wallace,
Dougherty,	Kolankiewicz,	Parry,	Walsh,
Down,	Kooker,	Pashley,	Wargo,
Ehrgood,	Kornick,	Paulhamus,	Weidner,
Eilberg,	Kratz,	Petrosky,	Welsh,
Erb,	Kubacki	Polaski,	Wescott,
Eshleman,	Lafore,	Polen,	Wheeler,
Ewing,	Lawyer,	Pomeroy,	Whitenight,
Farabaugh,	Leiby,	Price,	Willaredt,
Filo,	Leisey,	Pursley,	Williams,
Flint,	Leonard,	Readinger,	Wood,
Floyd,	Leven,	Reibman,	Worley,
Flynn,	Light,	Reidenbach,	Yetter,
Foster,	Limper,	Renwick,	Yetzer,
Frank,	Lippincott,	Rigby,	Young,
Frascella,	Lopresti,	Rosen,	Ziegler,
Frost,	Lovett,	Rovansek,	Andrews,
			Speaker

NAYS—0

NOT VOTING—13

Agnew,	Kehler,	Mihm,	Waterhouse,
Bullen,	Kline,	Naugle,	Wilt,
Cooper,	Kromer,	Pettigrew,	
Fineman,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

Senate Bill No. 121, Printer's No. 112

was passed over at the request of the SPEAKER.

REPORTS FROM COMMITTEE

Mr. THOMAS from the Committee on Ways and Means reported as committed, House Bill No. 1879, entitled:

An Act to provide revenue for Commonwealth purposes by imposing a tax on the sale of certain tangible personal property and on the use storage or consumption of certain tangible personal property providing for the reporting and payment of tax payment of interest and penalties assessments collections liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers and individuals.

Mr. McCORMACK from the Committee on Ways and Means, reported as committed, House Bill No. 1880, entitled:

An Act to further amend sections twenty and twenty-one of the act, approved the first day June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," by requiring additional reports and changing the due date of certain payments of capital stock tax and franchise tax and changing the gross receipts fraction applicable to foreign corporations.

BILL RE-REFERRED

Mr. SNIDER from the Committee on Ways and Means, returned with the recommendation that it be re-referred to the Committee on Judiciary, Senate Bill No. 655, entitled:

An Act amending the act of December 27 1951 (P. L. 1742) entitled as amended "An act to provide revenue by imposing a State tax relating to certain documents and transactions prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations sheriffs recorders of deeds and the Department of Revenue saving certain State and local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions thereto and providing penalties" exempting from the the tax certain straw transactions and certain transfers by sheriff's deed.

The SPEAKER. The bill is re-referred to the Committee on Judiciary.

RECESS

Mr. READINGER. Mr. Speaker, for the information of the Members of the House, we have a great many important and highly debatable bills on our calendar which have not been disposed of up to this time. In view of the fact that we will work much better if we take a recess and have dinner, I move we recess from this time until 8:00 p. m., at which time it is my hope that every Member of the House will return promptly in order that we may take up the business of the day and get out of here at a reasonable time tonight.

The motion was agreed to.

The SPEAKER. A recess is declared until 8:00 o'clock p. m.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 145, as follows:

An Act prohibiting the sale transfer purchase ownership possession and use of tear and noxious gas and tear gas guns providing for certain exemptions and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As used in this act

(1) "Tear or noxious gas" shall mean any liquid or gaseous substance that when dispersed in the atmosphere blinds the eyes with tears or irritates or injures other organs and tissues of the human body or causes nausea

(2) "Tear gas gun" shall mean any gun instrument or device used to discharge tear or noxious gas

Section 2 It shall be unlawful for any person partnership association or corporation to sell give or transfer any tear or noxious gas or any tear gas gun to any person association or corporation within this Commonwealth and it shall be unlawful for any person association or corporation to purchase own or have in possession in any place or use within this Commonwealth any tear or noxious gas or any tear gas gun save as provided hereinafter

Section 3 Nothing contained in this act shall prohibit

(1) The importation manufacture or possession of tear or noxious gas or tear gas guns for sale within the Commonwealth as herein permitted or outside the Commonwealth

(2) The sale of tear or noxious gas or tear gas guns to the United States the Commonwealth of Pennsylvania or any political subdivision thereof or to any bank bank or trust company or trust company for use in this Commonwealth or to any association or corporation lawfully engaged solely or in the regular conveyance of moneys securities or valuables

(3) The purchase or possession in this Commonwealth of tear or noxious gas or tear gas guns by the United States or the Commonwealth of Pennsylvania or any political subdivision thereof or any bank bank or trust company or trust company or any person association or corporation lawfully engaged solely in the conveyance of moneys securities or valuables No tear or noxious gas or tear gas guns shall be stored on any premises in the Commonwealth not under the exclusive control of the aforementioned governments agencies or institutions

(4) The manufacture purchase or possession of tear gas for scientific or medical purposes or uses

Section 4 It shall be lawful for any sheriff constable or other officer of justice with or without warrant to seize upon secure and remove any tear or noxious gas or tear gas guns unlawfully sold or transferred or owned or possessed or used It shall be the duty of such sehriff constable or other officer to make return in writing to the next court of quarter sessions of the proper county setting forth the nature and description of the materials seized and the time and place and circumstances under which such seizure was made and the said court upon hearing the parties if they should appear satisfied that such tear or noxious gas or tear gas guns were unlawfully possessed or dealt with as aforesaid shall adjudge same forfeited and order the same to be publicly destroyed and at the same time order such reasonable costs and charges to the seizing officer as shall be deemed adequate and just to be paid by the owner or possessor of such tear or noxious gas or tear gas guns

Section 5 Any persons violating any of the provisions of this act shall be guilty of a misdeameanor and upon conviction thereof shall be sentenced to pay a fine of not exceeding two thousand five hundred dollars ($2500) or undergo imprisonment at separate and solitary confinement at labor not exceeding two years or both at the discretion of the court

Section 6 This act shall take effect the first day of January one thousand nine hundred fifty-six

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—114

Adam,	**Frascella,**	**Meholchick,**	Scarcelli,
Amarando,	**Gaffney,**	**Mihm,**	Schuster,
Anderson, M. S.,	**Gelfand,**	Mikula,	Sherman,
Anderson, S. A.,	Goldstein,	**Mills,**	**Smith, Wm. B.,**
Barnatovich,	**Guss,**	**Monroe,**	Snider,
Bazin,	**Hamilton, R. K.,**	Moody,	Stank,
Boles,	**Hass,**	Moran,	**Stebbins,**
Bonner,	Heavey,	Muldowney,	**Stephens,**
Boory,	**Holt,**	Mullen,	Stone,
Bower,	**Jenkins,**	Munley,	**Swartz,**
Branca,	Jones, G. E.,	Murphy,	Taylor,
Brennan, A. P.,	**Kamyk,**	Murray, J. J.,	Thomas,
Brennan, J. J.,	Kolankiewicz,	Musto,	**Toll,**
Bucchin,	**Kornick,**	**Needham,**	**Varallo,**
Capano,	Kubacki,	**Olsen,**	Vaughan,
Cianfrani,	Lawyer,	**O'Neil,**	Verona,
Cioffi,	Leiby,	Pacchioli,	**Wallace,**
Cochran,	Leonard,	Pashley,	**Walsh,**
Comer,	Leven,	Paulhamus,	Wargo,
Curwood,	Limper,	Polaski,	**Welsh,**
Dougherty,	Lopresti,	**Polen,**	Wheeler,
Eilberg,	Lovett,	**Readinger,**	**Whitenight,**
Erb,	Lutty,	**Reibman,**	Williams,
Farabaugh,	Maxwell,	**Reidenbach,**	Worley,
Filo,	McCann,	**Renwick,**	Yetter,
Flint,	McGee,	Rosen,	**Yetzer,**

Floyd,	McKeever,	Rovansek,	Andrews,
Flynn,	McLaughlin,	Rudisill,	Speaker
Frank,	McWherter,	Sarraf,	

NAYS—72

Agnew,	Gibson,	Kratz,	Rubin,
Ashton,	Gramlich,	Lafore,	Sigman,
Auker,	Guthrie,	Leisey,	Smith, C. C.,
Banker,	Hamilton, W. H.,	Lippincott,	Steckel,
Bell,	Haudenshield,	Magee,	Stevenson,
Brenninger,	Helm,	Mahan,	Strausser,
Brown,	Henzel,	Markley,	Stroup
Connelly,	Hewitt,	McInroy,	Thompson,
Davis,	Hocker,	Metz,	Tompkins,
Donahue,	Horst,	Miller,	Toomey,
Donaldson,	Houk,	Murray, H. P.,	Varner,
Down,	Isaacs,	Murray, P. G.,	Wall,
Ehrgood,	Johnson,	Ogilvie,	Weidner,
Eshleman,	Jones, T. H. W.,	Pomeroy,	Wescott,
Ewing,	Jump,	Price,	Willaredt,
Foster,	Keller,	Pursley,	Wood,
Frost,	Kent,	Rigby,	Young,
Gibb,	Kooker,	Royer,	Ziegler,

NOT VOTING—23

Blair,	Garlock,	Kromer,	Petrosky,
Breisch,	George,	Light,	Pettigrew,
Breth,	Greenwood,	McCormack,	Stoner,
Bullen,	Kehler,	Moscrip,	Waterhouse
Cooper,	Kline,	Naugle,	Wilt,
Fineman,	Knecht,	Parry,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mrs. VARALLO asked and obtained permission for the Committee on Welfare to meet during the session of the House.

Mr. CAPANO asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

STATEMENT BY SPEAKER

The SPEAKER. The Chair suggests to the Chief Clerk that copies of House Bills 1879 and 1880, the tax bills, be distributed in the Hall of the House to each Member and copies to the Press.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 381, as follows:

An Act prescribing certain rights of employment and reemployment for members of the General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any person employed by an employer who employs twenty-five or more persons within this Commonwealth shall be elected to membership in the General Assembly his rights of seniority in maintaining or holding his position of employment shall continue during his tenure of office in the General Assembly whether or not he continued to maintain such position during such tenure of office and upon request made to his employer after termination of his tenure of office in the General Assembly shall not be refused reemployment on the basis of his prior membership in the General Assembly

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adam,	Frost,	Lovett,	Rovansek,
Agnew,	Gaffney,	Lutty,	Royer,
Amarando,	Garlock,	Magee,	Rubin,
Anderson, M. S.,	Gelfand,	Mahan,	Rudisill,
Anderson, S. A.,	George,	Markley,	Sarraf,
Ashton,	Gibb,	Maxwell,	Scarcelli,
Auker,	Gibson,	McCann,	Schuster,
Banker,	Goldstein,	McCormack,	Sherman,
Barnatovich,	Gramlich,	McGee,	Sigman,
Bazin,	Greenwood,	McInroy,	Smith, C. C.,
Bell,	Guss,	McKeever,	Smith, Wm. B.,
Blair,	Guthrie,	McLaughlin,	Snider,
Boies,	Hamilton, R. K.,	McWherter,	Stank,
Bonner,	Hamilton, W. H.,	Meholchick,	Stebbins,
Boory,	Hass,	Metz,	Steckel,
Bower,	Haudenshield,	Mihm,	Stephens,
Branca,	Heavey,	Miller,	Stevenson,
Breisch,	Helm,	Mills,	Stone,
Brennan, A. P.,	Henzel,	Monroe,	Stoner,
Brennan, J. J.,	Hewitt,	Moody,	Strausser,
Brenninger,	Hocker,	Moran,	Stroup,
Breth,	Holt,	Moscrip,	Swartz,
Brown,	Horst,	Muldowney,	Taylor,
Bucchin,	Houk,	Mullen,	Thomas,
Capano,	Isaacs,	Munley,	Thompson,
Cianfrani,	Jenkins,	Murphy,	Toll,
Cioffi,	Johnson,	Murray, H. P.,	Tompkins,
Cochran,	Jones, G. E.,	Murray, J. J.,	Toomey,
Comer,	Jones, T. H. W.,	Murray, P. G.,	Varallo,
Connelly,	Jump,	Musto,	Varner,
Curwood,	Kamyk,	Needham,	Vaughan,
Davis,	Keller,	Ogilvie,	Verona,
Donahue,	Kent,	Olsen,	Wallace,
Donaldson,	Knecht,	O'Neil,	Walsh,
Dougherty,	Kolankiewicz,	Pacchioli,	Wargo,
Down,	Kooker,	Parry,	Weidner,
Ehrgood,	Kornick,	Pashley,	Welsh,
Eiberg,	Kratz,	Paulhamus,	Wescott,
Erb,	Kubacki,	Petrosky,	Wheeler,
Eshleman,	Lafore,	Polaski,	Whitenight,
Ewing,	Lawyer,	Polen,	Willaredt,
Farabaugh,	Leiby,	Pomeroy,	Williams,
Filo,	Leisey,	Price,	Wood,
Flint,	Leonard,	Reibman,	Yetter,
Floyd,	Leven,	Readinger,	Yetzer,
Flynn,	Light,	Reidenbach,	Young,
Foster,	Limper,	Renwick,	Ziegler,
Frank,	Lippincott,	Rigby,	Andrews,
Frascella,	Lopresti,	Rosen,	Speaker

NAYS—4

Mikula,	Pursley,	Wall,	Worley,

NOT VOTING—10

Bullen,	Kehler,	Naugle,	Waterhouse,
Cooper,	Kline,	Pettigrew,	Wilt,
Fineman,	Kromer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 873, as follows:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" prescribing duties and limitations for township supervisors as to holding other township offices the number of meetings to be held keeping of records and fixing compensation of certain

township officers changing the expense allowance for delegates to supervisors' conventions and the officers eligible to attend providing for the selection of delegates and the payment of their expenses fixing the procedure for selling township property making tax exempt properties liable for certain costs for fire protection prescribing duties of auditors and fixing compensation of members of zoning board of adjustment providing for the construction of sidewalks and curbs and the payment therefor changing the provisions relating to abandoned cemeteries the publication of ordinances connecting with sewers of adjacent municipalities and the dedication laying out opening improving changing relocating taking over and vacating roads streets and highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 103, 410, 512 and 513, act of May 1, 1933 (P. L. 103) known as "The Second Class Township Code" reenacted and amended July 10, 1947 (P. L. 1481) are amended to read

Section 103 Excluded Provisions This act does not include any provisions and shall not be construed to repeal any acts relating to

(a) The assessment and valuation of property and persons for the purposes of taxation and collection of taxes and the collection of municipal claims by liens

(b) The method of incurring or increasing bonded indebtedness

(c) Election officers and conduct of elections

(d) Public schools and school districts

(e) Constables

(f) Justices of the peace

(g) State roads and private roads

(h) Validations of elections bonds ordinances and acts of corporate officers

(i) Free non-sectarian libraries

[(j) Crimes and offenses provided for in the Penal Code]

Section 410 Supervisors At each municipal election the electors of each township shall elect one supervisor to serve for a term of six years from the first Monday of January next following his election

Except as provided in section 514 no supervisor shall at the same time hold any other elective or appointive township office or position other than township secretary treasurer or secretary-treasurer

Section 512 Monthly Meetings Quorum Rent and Expenses The township supervisors shall meet for the transaction of business at least once each month at a time and place to be fixed by the board but they shall not be paid for more than sixteen meetings in any one year except in any township where on account of the exercise of governmental functions other than those relating to roads more meetings are necessary in which case the number of meetings for which the supervisors may be paid may with the prior approval of the auditors of the township be increased to any number not exceeding twenty-four in any year in townships having a population of five thousand or less and in townships having more than five thousand population not exceeding fifty meetings in any year Two members shall constitute a quorum Necessary expenses incurred in such meetings including office rent stationery light and fuel shall be paid out of the general township fund

Section 513 Minutes and Records The board of township supervisors shall keep minutes of its proceedings and be required hereafter to maintain accurate monthly records of all receipts and expenditures for all materials work and services performed and such other books as they may find necessary in the performance of their duties All such books shall be open for the inspection of any elector or taxpayers or his her or its representative or any representative of the Department of Internal Affairs and the Department of Highways at all reasonable times and shall be submitted to the township auditors when they meet to audit the accounts of the treasurer and other township officers The township supervisors shall deliver such books papers and accounts to their successors

Section 2 Section 515 of the act amended May 24, 1951 (P. L. 370) is amended to read

Section 515 Compensation of Supervisors Supervisors shall receive from the general township fund as compensation not less than [four] six dollars nor more than [six] ten dollars for each meeting which they attend the amount of the compensation for attending meetings shall be determined by the township auditors [the township auditors shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of the roads and bridges] but shall not be less than six dollars nor more than ten dollars for each meeting they attend the compensation of township supervisors for making A semi-annual inspection of roads and bridges shall be fixed by a majority action of the board of supervisors but shall not be more than twelve dollars per day the compensation of supervisors when acting as superintendents roadmasters or laborers shall be fixed by the township auditors either per hour per day per week semi-monthly or monthly which compensation shall not exceed or be less than compensation paid in the locality for similar services and such other reasonable compensation for the use of a passenger car or a two-axled four-wheeled motor truck having a chassis weight of less than two thousand pounds and a maximum gross weight of five thousand pounds when required and actually used for the transportation of road and bridge laborers and their hand tools as the auditors shall determine and approve but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the nighttime

Section 3 Clause (h) of section 516 and section 531 of the act reenacted and amended July 10, 1947 (P. L. 1481) are amended to read

Section 516 Duties of Supervisors Township Superintendents and Roadmasters The township supervisors or the supervisors acting as superintendents or roadmasters shall

* * *

(h) Attend road meetings and conventions when directed to do so by the board of supervisors Compensation for attending meetings shall be fixed by the board of supervisors but shall not exceed twenty dollars per day and eight cents per mile

* * *

Section 531 Compensation The township treasurer shall receive as compensation for his services a certain percentage on all moneys received and paid by him which rate shall be determined by the supervisors of the townships [with the approval of the township auditors]

Except as otherwise provided in section 540 herof the amount paid to the treasurer as treasurer and secretary shall not exceed three per centum of the money paid out by the treasurer but it shall not be less than fifty dollars and the calculation of such maximum compensation shall not include any percentage upon money paid out by the treasurer for the repayment of loans notes certificates or other evidences of indebtedness or other borrowed moneys

Section 4 Section 545 of the act amended July 2, 1953 (P. L. 354) and amended July 13, 1953 (P. L. 410) is amended to read

Section 545 Meetings Duties Quorum Surcharges Compensation The auditors of townships shall meet annually at the place of meeting of the supervisors on the day following the day which is fixed by this act for organization of the township supervisors and shall organize by the election of a chairman and secretary and shall audit settle and adjust the accounts of the supervisors superintendents roadmasters treasurer and tax collector of the township and fix the compensations for the current year authorized in [sections] section 515[and 540] hereof Two auditors shall constitute a quorum The auditors shall also make an audit of the dockets transcripts and other official records of the justices of

the peace to determine the amounts of fines and costs paid over or due the township and the dockets and records of the justices of the peace shall be open to inspection by the auditors for such purpose

Upon the death or resignation of any of the above officers the auditor upon call of the chairman shall meet and audit the accounts of the former incumbent and at that time fix the compensation of his successor if authorized by this act to fix the compensation for such office

Any elected or appointed officer whose act error or omission has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss and the surcharge of any such officer shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of such officers nor to any penalty ensuing to the benefit of or payable to the Commonwealth

Each auditor shall receive ten dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township but in no event shall be entitled to receive more than two hundred dollars ($200) for any calendar year A day shall consist of not less than five hours in the aggregate

Section 5 Section 595 and 602 of the act amended May 20, 1949 (P. L. 1562) are amended to read

Section 595 Police Pension Fund Where a police force is being maintained the township shall by ordinance establish a police pension fund or pension annuity into which each member of the police force [shall] may be required to pay an equal and proportionate monthly charge not exceeding annually three per centum of the pay of such member The fund shall be under the direction of the supervisors or such committee as they may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

Section 602 Who to Attend Compensation and Mileage The supervisors of townships auditors assessors tax collectors solicitors engineers and the secretary of the board of township supervisors when not a member of the board shall attend such conventions whenever possible Each township supervisor auditor assessor tax collector solicitor engineer and secretary attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention Such certificate shall entitle him to collect from the township treasurer the sum of [six] ten dollars per day for each day's attendance and mileage at the rate of [four] eight cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held No township supervisor auditor assessor tax collector solicitor engineer or secretary shall be paid for more than one day's attendance in any one year

Section 6 Section 604 of the act reenacted and amended July 10, 1947 (P. L. 1481) is amended to read

Section 604 County and Townships to Pay Expenses The county treasurer shall on warrants of the county commissioners pay to the treasurer of such association from the county funds the necessary expenses incurred for the holding of such annual or semi-annual convention including the necessary expenses of the secretary The total sum thus paid by any county shall not exceed one hundred and twenty-five dollars a year

Each board of supervisors may pay annual association dues not exceeding twenty dollars out of the general fund of the township to be used by the association for the payment of expenses

Within thirty days after each such convention the treasurer of such association shall file with the county commissioners an itemized statement under oath showing when and where such convention was held the numbe of township supervisors auditors assessors tax collector solicitors engineers and township secretaries present an all the expenses connected with such convention togethe with proper voucher for all such expenses and no pay ment shall be made to the treasurer of such associatio until he has presented to the county commissioners a itemized and verified statement of expenses

Section 7 Section 610 of the act amended May 20, 194 (P. L. 1562) is amended to read

Section 610 State Association authorized the formatio of a state association of township supervisors is hereb authorized the association shall hold annual meeting at such time and place within the commonwealth as i may designate for the purpose of discussing variou questions and subjects pertaining to the duties of town ship supervisors and for the purpose of devising uniform economical and efficient methods of administering th affairs of townships [all dues assessed by the associatio which shall not exceed twenty dollars per year pe township shall be paid by the member townships fro their general townships funds] the officers of the stat association shall consist of a president three vice-presi dents a secretary and a treasurer none of whom shal be interested directly or indirectly in the promotion o sale of road material and equipment and all of whon except the secretary shall be members of the associatio and shall hold office for one year or until their suc cessors are elected the secretary may be a person no a regular member of the association and shall be pai such compensation as the other officers may determin every township supervisor and secretary attending con ventions may vote in the election of officers each boar of supervisors may pay annual association dues not ex ceeding twenty dollars out of the general fund of th township to be used by the association for the paymen of expenses

Within thirty days after each convention the treasure of the association shall furnish a report for the informa tion of the members of the association an itemized state ment under oath showing when and where the con vention was held the number of delegates present and al the expenses connected with such convention togethe with an itemized statement of all other associatio expenditures

Section 8

Section 611 and 612 of the act amended May 24, 195 (P. L. 370) are amended to read

Section 611 Delegates Each [county association] boar of township supervisors [shall] may elect one townshi supervisor or the township secretary [for each ten town ships or fraction thereof within said county] as a delegat to each annual meeting of said State association

Section 612 Expenses and Mileage The expenses [of allowed the delegates attending the annual meeting shal [not exceed twelve] be twenty dollars per day for each delegate for not more than three days together with eight cents per mile in going to and returning from such meeting and shall be paid by the respective [county associations] townships from the general fund

Section 9 Section 701 of the act reenacted and amende July 10, 1947 (P. L. 1481) is amended to read

Section 701 Suits Property Any township of the second class may

I Sue and be sued

II Purchase acquire by gift or otherwise hold lease let and convey such real and personal property as shal be deemed to be for the best interests of the township Such real and personal property shall be taken and held only for the benefit of the inhabitants of the town ship and for such objects and purposes for which the township tax and special tax assessments are authorized by law

No real estate owned by the township shall be sold for a consideration in excess of five hundred dollars except to the highest bidder after due notices by advertisement for bids in one newspaper of the county Such advertisement shall be published not less than ten days prior to the date fixed for the opening of bids and

such date and place for opening bids shall be announced in such advertisement the acceptance of bids shall be made only by public announcement at the meeting at which bids are received All bids shall be accepted on the condition that payment of the purchase price in full shall be made within ten days of the acceptance of bids

No township personal property shall be disposed of by sale or otherwise except upon approval of the board of supervisors by ordinance or resolution In cases where the board shall approve a sale of such property it shall estimate the sale value of the entire lot to be disposed of If the board shall estimate the sale value to be two hundred dollars or more the entire lot shall be advertised for sale once in at least one newspaper of the county not less than ten days prior to the date fixed for the opening of bids and such date for opening bids shall be announced in such advertisement and sale of the property so advertised shall be made to the best responsible bidder

If the supervisors shall estimate the sale value to be less than two hundred dollars it shall require notice of the proposed sale to be posted at least ten days in a conspicuous place inside and on the outside of the building where the township supervisors hold their regular meetings describing and itemizing the property to be sold and directing that bids may be made thereon at the office or home of the township clerk Thereafter the supervisors may sell such property in whole or in part for the best price or prices obtainable

The provisions of this clause shall not be mandatory where township property is to be traded in or exchanged for new township property

The provisions of this clause requiring advertising for bids and sale to the highest bidder shall not apply where township real or personal property is to be sold to any Authority pursuant to the Municipality Authorities Act of 1945

Any officer who sells and each officer who votes in favor of selling any township property either real or personal without the provisions of this section having been complied with shall be subject to surcharge in the amount of any loss sustained by the township by reason of such sale

Section 10 Clause III of section 702 of the act amended May 24, 1951 (P. L. 370) is amended to read

Section 702 Supervisors to Exercise Powers

* * * * *

III Contracts and Tax Levy for Fire Purposes On the petition of the surface property owners of a majority of the lineal feet frontage along any highways streets roads and alleys or portion thereof within the township to enter into contract with water companies for the placing of fire hydrants to water mains maintaining pressures approved by the fire insurance underwriters along said highways streets roads and alleys or to provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire

The moneys necessary for acquiring any such water system may be obtained by proceeding in accordance with either of the methods set forth in paragraphs A and B as follows

A The supervisors shall levy for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera an annual tax upon [the property] all property whether or not exempt from taxation by existing law abutting upon said highways streets roads and alleys and upon property within six hundred feet of any fire hydrant in the district benefited thereby based upon the assessment for county purposes No such tax shall be levied against any farm land or land used as an aviation field or against other property in the district not benefited thereby Such tax shall be collected in the same manner as other taxes The collector shall receive the same commission as on the township tax The township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

B The township supervisors shall annually or cause to be assessed the cost and expense for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera by an equal assessment on all proprety whether or not exempt from taxation under existing law abutting upon said hgihways streets roads and alleys within six hundred feet of any fire hydrant in the district benefited thereby in proportion to the number of feet the said property fronts on any street highway road or alley upon which a water main is laid or within six hundred feet of any fire hydrant on such street highway road or alley The supervisors may provide for an equitable reduction from the frontage of lots it intersects or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections either tilled or untilled shall not be deemed to be farm lands All such assessments for fire protection shall be filed with the township tax collector who shall give thirty (30) days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax colltector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety (90) days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five percent as attorney's commisison and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots may be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay the same only upon orders signed by the chairman of the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

Section 11 Clause XXVIII of section 702 of the act amended July 2, 1953 (P. L. 354) is amended to read

Section 702 Supervisors to Exercise Powers

* * *

XXVIII Abandoned Cemeteries Whenever any cemetery or burial ground incorporated or unincorporated is abandoned or is being neglected although occasionally used for burial purposes the court of quarter sessions of the county upon petition of twenty-five residents of the township wherein such cemetery is located may direct [title thereof to be transferred to the township and] the supervisors to care for such cemetery at a cost of not more than one hundred dollars in any one year The supervisors shall expend moneys from the general township fund for such purpose Such cemetery shall remain open to the public under the regulation and control of the supervisors

* * *

Section 12 Clause XLI of section 702 of the act amended May 24, 1951 (P. L. 370) is amended to read

* * *

XLI Ordinances To adopt ordinances prescribing the manner in which such specific powers of the township shall be carried out All such ordinances unless otherwise provided by law shall be published [prior to passage] at least once in one newspaper circulating generally in the township [Except as otherwise provided in this act an informative notice of the passage of all such ordinances shall be advertised once in one newspaper circulating generally in the township] Such ordinances shall be recorded in the ordinance book of the township and shall become effective five days after such advertising In any case in which maps plans or drawings

of any kind are adopted as part of an ordinance the supervisors may instead of publishing the same as part of the ordinance refer in publishing the ordinance to the place where such maps plans or drawings are on file and may be examined The board of supervisors may prescribe fines and penalties not exceeding three hundred dollars in any instance for the violation of any such township ordinances which fines and penalties may be collected by suit or summary proceeding brought in the name of the township before any justice of the peace Proceedings for the violation of township ordinances and for the collection of fines and penalties imposed thereby may be commenced by warrant or by summons at the discretion of the justice of the peace before whom the proceedings is begun No warrant shall be issued except upon complaint on oath or affirmation specifying the ordinance for the violation of which the same is issued All proceedings shall be directed to and be served by a constable of the township Warrants shall be returnable forthwith and upon such return like proceeding shall be had as in cases of summary conviction All fines and penalties collected for the violation of township ordinances shall be paid over to the township treasury Upon judgment against any person by summary conviction or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs the defendant may be sentenced and committed to the township lockup for a period not exceeding five days or to the county jail or workhouse for a period not exceeding thirty days

Any person aggrieved may within thirty days after any ordinance or resolution takes effect make complaint as to the legality of such ordinance or resolution to the court of quarter sessions upon entering into recognizance with sufficient surety to prosecute the same with effect and for the payment of costs The determination and order of the court thereon shall be conclusive

Section 13 Section 1101 of the act amended July 20, 1953 (P. L. 511) is amended to read

Section 1101 Power to Lay Out Open Widen Vacate Et Cetera The township supervisors may by ordinance enact ordain survey lay out open widen straighten vacate and relay all roads and parts thereof which are wholly within the township upon the petition [of a majority in] [interest of the owners of property or properties through whose land such road passes or upon whose land it abuts] of interested citizens or without petition [of the owners of abutting property] if in the judgment of the supervisors it is necessary [for the public convenience] Such power shall include authority to vacate in whole or in part roads laid out by the Commonwealth where the same have remained unopened for a period of thirty years and also the authority to lay out and open a public road which will be a continuation or extension of a street already opened by an adjacent city borough or township and to provide in any ordinance for the vacation of a road that all or part thereof shall be a private road

The township supervisors may also by ordinance enact ordain survey lay out open widen straighten vacate and relay roads partly within the township where similar concurrent action is taken by the authorities of all political subdivisions wherein the road is located

The township supervisors may also by ordinance provide for the widening straightening or improvement of a State highway with the consent of the Secretary of Highways by the adoption of a plan therefor and may expend township funds in connection therewith The supervisors may adopt a plan of the Department of Highways as the official plan of the township

When any petition is presented to the township supervisors under the provisions of this section and the supervisors fail to act on the petition within sixty (60) days the petitioners may present their petition to the court of quarter sessions which shall proceed thereon as provided by the general road law

No such road shall be laid out and opened through any burial ground or cemetery nor through any grounds occupied by a building used as a place for public worship or as a public or parochial school or educational or charitable institution or seminary unless the consent of the owner or corporation or person controlling the premises is first secured

Section 14 Section 1102 of the act amended May 24, 1951 (P. L. 370 and amended in part July 20, 1953 (P. L. 511) is amended to read

Section 1102 Hearing Report Exceptions Thereto View and Notice (a) Prior to the passage of any ordinance for the laying out opening changing or vacating of any road or highway or section thereof the supervisors shall give ten days' written notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard Witnesses may be summoned and examined by the supervisors and by the parties interested at such meeting or any adjournment thereof

(b) After such hearing [and a consideration of the matter] should the supervisors or a majority thereof decide in favor of exercising the power so conferred they shall [make written report together with a draft or survey of the road fixing the width thereof and noting the improvements along the line thereof and the names of the owners of property through which the same shall pass or whereon it shall abut Duplicate copies of such report and draft shall be filed in the office of the clerk of the court of quarter sessions Upon the filing of such report and draft the supervisors may enact the necessary ordinance] enact the necessary ordinance and file a copy of such ordinance together with a draft and survey of the road showing the location and width thereof in the office of the clerk of court of quarter sessions

(c) Any citizen or freeholder of the township may within thirty days after the filing of the report of the supervisors upon entering in the court sufficient surety to indemnify them for all costs incurred in the proceedings file exceptions to the [report] ordinance together with a petition for a review Thereupon the court of quarter sessions shall appoint viewers from the county board of viewers for the purpose of [the review] reviewing the ordinance and exceptions thereto

(d) [Upon favorable action on such matter by the supervisors and after] After the expiration of the term allowed for filing exceptions or upon the order of the court upon the disposition of any exceptions [if] in [either] case the compensation for the damages or benefits accruing therefrom have not been agreed upon the court of common pleas or any law judge thereof in vacation on application by petition by the supervisors or any person interested shall appoint three viewers from the county board of viewers to assess the damages and benefits occasioned by the proceeding [in the manner provided by this act for such proceedings]

(e) [After the passage or approval of any ordinance by the supervisors for the opening widening straightening extending or vacating any road notice shall within ten days thereafter be given by handbills posted in conspicuous places along the line of the road or highway Such notice shall state the fact of the passage or approval of the ordinance and the date of the passage or approval] All ordinances enacted under the provisions of this section shall be advertised in the same manner as provided for in Article VII section 702 clause XLI

(f) [Petitions by property owners shall include the name and address of a person upon whom notices may be served] All petitions shall be acted on within sixty (60) days after the hearing thereton Within such period the supervisors shall notify the person designated in the petition of their action thereon If the prayer of the petition is refused the petitioners or a majority of them may within thirty days after receipt of the notice petition the court of quarter sessions for the appointment of viewers and proceedings shall be had thereon in accordance with the general road law

Section 15 Sections 1103 and 1104 of the act amended May 24, 1951 (P. L. 370) are amended to read

Section 1103 Width of Public Roads The width of a public road in townships of the second class shall not be less than thirty-three feet or more than one hundred and twenty feet [unless in any particular case the supervisors

shall determine that a road of lesser width will be sufficient for public use and travel] Provided That when the public road desired to be opened is in a built up section of any township of the second class of the type commonly known as an alley and is not an integral part of a through route the minimum width may be fifteen feet and provided That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified

Section 1104 Laying Out Roads Under the General Road Law All roads [partly within townships of the second class where one of the termini of such roads is without the township shall] may be laid out widened changed or vacated [only] by the courts of quarter sessions as heretofore in the manner provided by the general road law and the amendments additions and supplements thereto [except where concurrent action is taken by all political subdivisions wherein such road is located But no such road shall be opened changed widened altered or vacated unless and until the supervisors of the township shall have passed a resolution consenting and approving thereto and shall have filed with the clerk of said court a copy of such resolution duly certified by the township secretary] All damages and benefits occasioned by such laying out and the subsequent opening thereof or by any such widening changing or vacation shall be assessed collected and paid in the manner provided by the general road law and the amendments additions and supplements thereto [Provided That all damages occasioned by such laying out and the opening thereof or by the widening changing or vacating of all roads within townships of the second class] [shall be assessed collected and paid by such townships of the second class]

Section 16 The heading of subdivision (d) of Article XI and sections 1115, 1140 and 1147 of the act reenacted and amended July 10, 1947 (P. L. 1481) are amended to read

(d) [Improving] Relocating or Vacating Roads by Agreement with Property Owners

Section 1115 [Improving] Relocating or Vacating Roads by Agreement Whenever the supervisors of any township deem it advisable to [construct change widen] relocate [or alter] any part of any public road under their supervision or to vacate any abandoned portion of a State highway not vacated by the Department of Highways and can agree with the property owners affected by such [improvement] relocation or vacation they may [change widen] relocate [alter] or vacate such part of such public road as contemplated in such agreement without the formality of a view

[No such improvement of any part of any public road shall be made the costs and expenses of which including damages to such township shall exceed one thousand dollars] A petition setting forth the facts regarding such [improvement] relocation or vacation accompanied by a map or draft of the same shall be presented to the court of quarter sessions for approval before such actual [improvement] relocation or vacation is made whereupon the new location approved by the court shall be taken to be the public road and the old location shall be vacated or the abandoned State highway shall be vacated as the case may be

Section 1140 Acceptance of Land Dedicated by Deed for Road Purposes [Plans of Dedicated Roads and Streets] The supervisors of any township may accept by resolution in the name of the township any land dedicated by deed to the township to be used [in any manner for road purposes] as a road street or alley A copy of such resolution together with a draft or survey of the road street or alley showing location and width thereof shall be filed in the office with the clerk of quarter sessions court

Section 1140.1 Plans of Dedicated Roads and Streets No person shall construct open or dedicate any road or any drainage facilities in connection therewith for public use or travel in any township without first submitting plans thereof to the township supervisors for their approval Such plans shall be prepared in duplicate in accordance with such rules and regulations as may be prescribed by the supervisors and shall show the profiles of such roads the course structure and capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory and also any other further details that may be required under the rules or regulations adopted by the township supervisors Before acting upon any such plans the supervisors may in their discretion arrange for a public hearing after giving such notice as they may deem desirable in each case The township supervisors are authorized to alter such plans and to specify any changes or modifications of any kind which they in their discretion may deem necessary with respect thereto and may make their approval of such plans subject to any such alterations changes or modifications Any plans when so approved shall be signed in duplicate on behalf of the township by the supervisors and an approved duplicate copy shall be filed with the secretary of the township who shall make the same available to public inspection No road or drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans so approved by the supervisors or with further plans subsequently approved by them in the same manner and until such plans and the approval thereof has been recorded as hereinafter provided

Section 1147 Taking Over of Roads Streets [Lanes] and Alleys Heretofore Dedicated as Public Roads Whenever plans of dedicated roads streets [lanes] or alleys located in second class townships have been [adopted] approved and recorded as provided in section 1140.1 and 1141 the board of supervisors of any such township may [with the consent of the court of quarter sessions upon petition filed] accept by resolution any roads streets [lanes] or alleys as public roads if shown in said plans as dedicated to such use and provided the roads or streets shall be not less than thirty-three feet in width and the [lanes or] alleys not less than fifteen feet in width said acceptance to be evidenced by a resolution of the said board of supervisors properly describing said roads streets [lanes] or alleys and adopted by a majority thereof by a vote duly recorded and entered upon the minutes of said board Upon the filing with the clerk of courts of quarter sessions of the county in which said township shal lbe situate a certified an dattested copy of said resolution [with the consent of the court endorsed thereon] such roads streets [lanes] or alleys shall be and become a part of the public road system of said township and shall be so recorded in said court of quarter sessions

Section 17 Sections 1201-A 1205-A and subsection (j) of section 1206-A of the act added May 24 1951 (P L 370) are amended to read

Section 1201-A Supervisors Empowered to Adopt Regulations For the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of townships for adequate open spaces for traffic recreation light and air and for proper distribution of population thereby creating conditions favorable to the health safety morals and general welfare of the citizens the boards of township supervisors are hereby empowered to adopt by ordinance or resolution land subdivision regulations Such regulations may include definitions design standards plan requirements plan processing procedures improvement construction requirements and conditions of acceptance of public improvements by the township

Section 1205-A Subdivisions Wherein Lots About Existing Improved Streets of Sufficient Width Such regulations may provide that plans of subdivisions wherein lots abut existing improved streets of sufficient width shall be subject to approval or rejection by the township engineer or a committee appointed by the board of township supervisors as specified in the ordinance or resolution establishing the regulations In the event such a plan is disapproved the reasons thereof shall be set forth in writing and given to the applicant Any person aggrieved by the decision of the township engineer or the committee may appeal to the board of township supervisors and such appeal shall

be considered by the board at its next regular meeting The decision of the board shall be final

Section 1206-A Subdivisions Wherein Lots Abut Existing Streets of Insufficient Width or Proposed Streets

* * *

(j) Streets Parks and Other Improvements Private Until Dedicated of Condemned Every street park or other improvement shown on a subdivision plan that is recorded as provided herein shall be deemed to be a private street park or improvement until such time as the same has been offered for dedication to the township and accepted by resolution and recorded in the office of the clerk of the court of quarter sessions or until it has been condemned for use as a public street park or other improvement

Section 18 Subsection (b) of section 1402 of the act amended July 2 1953 (P L 354) is amended to read

Section 1402 Construction of Sidewalks or Sidewalks and Curbs Upon Petition of Property Owners or Pursuant to Ordinance

* * *

(b) The township supervisors may also construct sidewalks and curbs of suitable material along the roads or highways in such townships pursuant to an ordinance authorizing such construction Whenever any sidewalks or curbs are constructed by the supervisors pursuant to such ordinance the expense of the construction of such sidewalks or curbs shall be paid by the abutting property owners in proportion to their frontage but in no such instance shall any abutting property owner be liable for the construction of such [sidewalks] sidewalk in an amount greater than ten percent nor for the construction of such curb in an amount greater than ten percent of the assessed valuation of the abutting property owned by him Any expense above such maximum liability of abutting property owners shall be paid by the townships If abutting property owners fail to so pay the expenses of the construction of such sidewalks or curbs for which they are liable the township supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties in the manner provided by law for the filing and collection of municipal liens

Section 19 Section 1530 of the act reenacted and amneded July 10 1947 (P L 1481) is amended to read

Section 1530 Agreements for Connections Appointment of Viewers Any township may by agreement connect with an existing sewer owned by any adjacent municipality for sewage purposes [in the following manner

A] Whenever any township desires to connect with the existing sewer of any adjacent municipality and no agreement has been reached between such township and the adjacent municipality a petition shall be presented by the board of supervisors to the court of quarter sessions setting forth the facts The court shall fix a day for hearing upon such petition and shall direct such public notice to all parties interested therein as to it shall seem desirable If after hearing the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer it shall appoint three viewers who shall view the premises and investigate the facts of the case and shall assess the necessary costs and expenses of making the connection and the proportionate part of the expense of building the original sewer upon such township and shall fix the proportion of the expense for repairs which the municipality and the township shall thereafter bear and determine all other questions liable to arise in connection therewith

Section 20 The first paragraph of section 2004 of the act reenacted and amended July 10 1947 (P L 1481) is amended to read

Section 2004 Method of Procedure The supervisors shall exercise the powers granted in section 2001 hereof by ordinance which shall provide for the enforcement of the regulations and restrictions established therein by [reasonable fines and] the issuance of stop cease and desist orders by the zoning officer to violators by the instituting of appropriate actions or proceedings at law or in equity and by reasonable fines and for at least one week and not more than three weeks prior to the presentation of the proposed ordinance a notice of intention to consider such proposed ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents and a reference to the place or places within the township where copies of the proposed ordinance may be examined The Department of Internal Affairs shall prepare suitable forms for such notice which may be used by the supervisors of any township for this purpose

* * *

Section 21 The second fourth seventh and eighth paragraphs of section 2007 of the act amended July 2 1953 (P L 354) are amended to read

Section 2007 Board of Adjustment

* * *

The board of adjustment shall consist of three members one of whom shall be designated to serve until the first day of January following the adoption of the zoning ordinance one until the first day of the second January thereafter and one until the first day of the third January thereafter Their successors shall be appointed on the expiration of their respective terms to serve three years The members of the board shall be removable for cause by the appointing authority upon written charges and after public hearing Vacancies shall be filled for the unexpired term of any member whose term becomes vacant The members of the board may receive such compensation not to exceed six dollars for each meeting as shall be fixed by the board of supervisors No compensation shall be paid for any meeting in which only questions considered in a prior meeting are acted upon The compensation if any shall be paid from fees a schedule of which shall be fixed annually by the supervisors with the advice of the board for the filing of appeals or petitions to the board Only one fee shall be charged for the appeal or petition relative to any one property regardless of the number of meetings required for the determination of the question or questions raised

* * *

Appeals to the board of adjustment may be taken by any person or township official aggrieved or affected by any provision of the zoning ordinance or by any decision [of] including any order to stop cease and desist issued by any administrative officer hereinafter called the zoning officer charged with enforcing the provisions of the zoning ordinance such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the zoning officer and with the board of adjustment a notice of appeal specifying the grounds thereof the zoning officer shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

* * *

The board of adjustment shall have the folowing powers

(1) To hear and decide appeals where it is alleged there is error in any order requirement decision or determination including any order requiring an alleged violator to stop cease and desist made by the zoning officer in the enforcement of this article or of any ordinance adopted pursuant thereto

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to public interest where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done

In exercising the above mentioned powers such board may in conformity with the provisions of this article reverse or affirm wholly or partly or may modify the order requirement decision or determination including any order requiring an alleged violator to stop cease and desist appealed from and may make such order requirement decision or determination including a stop order or orders to cease and desist as ought to be made notice of such decision shall forthwith be given to all parties in interest

* * *

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Gaffney,	Magee,	Royer,
Agnew,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Auker,	Goldstein,	McGee,	Sherman,
Banker,	Gramlich,	McInroy,	Sigman,
Barnatovich,	Greenwood,	McKeever,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Stank,
Boles,	Hamilton, W. H.,	Metz,	Stebbins,
Bonner,	Hass,	Mihm,	Steckel,
Boory,	Haudenshield,	Mikula,	Stephens,
Bower,	Heavey,	Miller,	Stevenson,
Branca,	Helm,	Mills,	Stone,
Breisch,	Henzel,	Monroe,	Stoner,
Brennan, A. P.,	Hewitt,	Moody,	Strausser,
Brennan, J. J.,	Hocker,	Moran,	Stroup,
Brenninger,	Holt,	Moscrip,	Swartz,
Breth,	Horst,	Muldowney,	Taylor,
Brown,	Houk,	Mullen,	Thomas,
Bucchin,	Isaacs,	Munley,	Thompson,
Capano,	Jenkins,	Murphy,	Toll,
Cianfrani,	Johnson,	Murray, H. P.,	Tompkins,
Cioffi,	Jones, G. E.,	Murray, J. J.,	Toomey,
Cochran,	Jones, T. H. W.,	Murray, P. G.,	Varallo,
Comer,	Jump,	Musto,	Varner,
Connelly,	Kamyk,	Needham,	Vaughan,
Curwood,	Keller,	Ogilvie,	Verona,
Davis,	Kent,	Olsen,	Wall,
Donahue,	Knecht,	O'Neil,	Wallace,
Donaldson,	Kolankiewicz,	Pacchioli,	Walsh,
Dougherty,	Kooker,	Parry,	Wargo,
Down,	Kornick,	Pashley,	Weidner,
Ehrgood,	Kratz,	Paulhamus,	Welsh,
Eilberg,	Kubacki	Petrosky,	Wescott,
Erb,	Lafore,	Polaski,	Wheeler,
Eshleman,	Lawyer,	Polen,	Whitenight,
Ewing,	Leiby,	Pomeroy,	Willaredt,
Farabaugh,	Leisey,	Price,	Williams,
Filo,	Leonard,	Pursley,	Wood,
Flint,	Leven,	Readinger,	Worley,
Floyd,	Light,	Reibman,	Yetter,
Flynn,	Limper,	Reidenbach,	Yetzer,
Foster,	Lippincott,	Renwick,	Young,
Frank,	Lopresti,	Rigby,	Ziegler,
Frascella,	Lovett,	Rosen,	Andrews,
Frost,	Lutty,	Rovansek,	

NAYS—0

NOT VOTING—10

Bullen,	Kehler,	Naugle,	Waterhouse,
Cooper,	Kline,	Pettigrew,	Wilt,
Fineman,	Kromer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1002, as follows:

An Act relating to conditional sales made prior to July 1 1954

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act

(1) "Uniform Conditional Sales Act" means the act of May 12, 1925 (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" as amended from time to time while the act was in effect

(2) "Conditional sale" means any contract for the sale of goods made and filed prior to July 1, 1954 and which either was filed prior to that date pursuant to the Uniform Conditional Sales Act or was shown before that date on a certificate of title for a motor vehicle trailer or semi-trailer pursuant to the vehicle code of May 1 1929 (P. L. 905) as amended under which possession was delivered to the buyer and the property in the goods was to vest in the buyer at a subsequent time upon the payment of part or all of the price or upon the performance of any other condition or the happening of any contingency

(3) "Buyer" means the person who bought the goods covered by the conditional sale or any legal successor in interest of the person

(4) "Filing district" means the subdivision of the State in which conditional sale contracts or copies thereof were required to be filed by the Uniform Conditional Sales Act or are permitted to be filed by this act

(5) "Goods" means all chattels personal other than things in action and money and includes emblements industrial growing crops machinery and equipment attached to real estate and things attached to or forming a part of land which were agreed to be severed before sale or under the conditional sale

(6) "Performance of the condition" means the occurrence of the event upon which the property in the goods is to vest in the buyer whether the event is the performance of an act by the buyer or the happening of a contingency

(7) "Purchase" includes the creation of a security interest

(8) "Purchaser" includes a person in whose favor there is a security interest

(9) "Seller" means the person who sold the goods covered by the conditional sale or any legal successor in interest of the person

(10) "Filing officer" means a person in charge of the office for filing conditional sale contracts in a filing district

Section 2 Filing Records The filing officer shall continue to keep the separate book which he was required to keep by the Uniform Conditional Sales Act in which he was required to enter the names of the seller and buyer the date of the contract the day and hour of filing a brief description of goods the price named in the contract and the date of cancellation thereof

Section 3 Refiling The validity of a filing or refiling pursuant to the Uniform Conditional Sales Act or this act may be extended for successive additional periods of one year from the date of refiling by filing in the proper filing district a copy of the original contract within thirty days next preceding the expiration of each period with a statement attached signed by the seller showing that the contract is in force and the amount remained to be paid thereon The copy with statement attached shall be filed and entered in the book kept by the filing officer and he shall be entitled to a fee of three dollars ($3)

Section 4 Cancellation of Contract Any contract filed in the office of the prothonotary may be cancelled by satisfaction noted on the docket in the same manner as judgments at law are satisfied In lieu of satisfaction after the performance of the condition upon written demand delivered personally or by registered mail by the buyer or any other person having an interest in the goods the seller shall execute acknowledge and deliver to the demandant a statement that the condition in the contract has been performed If for ten days after demand the seller fails to mail or deliver a statement of satisfaction he shall forfeit to the demandant five dollars ($5) and be liable for all damages suffered Upon presentation of the statement of satisfaction the filing officer shall file it and note the cancellation of the contract and the date thereof on the margin of the page where the contract has been entered For filing and entering the statement of satisfaction the filing officer shall be entitled to a fee of seventy-five cents (75¢)

Section 5 Prohibition of Removal or Sale Without Notice Unless the contract otherwise provides the buyer may without the consent of the seller remove the goods from

any filing district and create a security interest in the goods or sell or otherwise dispose of his interest in them but prior to the performance of the condition no buyer shall remove the goods from a filing district in which the contract or a copy thereof is filed except for temporary uses for a period of not more than thirty days unless the buyer not less than ten days before the removal shall give the seller personally or by registered mail written notice of the place to which the goods are to be removed and the approximate time of the intended removal nor prior to the performance of the condition shall the buyer create a security interest in the goods or sell or otherwise dispose of his interest in them unless he or the secured party or the person to whom he is about to sell or otherwise dispose of the same shall notify the seller in writing personally or by registered mail the name and address of the secured party or the person to whom his interest in the goods is about to be sold or otherwise transferred not less than ten days before the creation of a security interest or sale or other disposal If any buyer does so remove the goods or does so create a security interest in them or sell or otherwise dispose of his interest in them without notice or in violation of the contract the seller may retake possession of the goods and deal with them as in case of default in payment of part or all the purchase price The provisions of this section regarding the removal of goods shall not apply however to railroad or street or interurban railway equipment or rolling stock

Section 6 Refiling on Removal When prior to the performance of the condition the goods are removed by the buyer from a filing district in this State to another filing district in this State in which the contract or a copy thereof is not filed the reservation of the property in the seller shall be void as to any purchaser from or creditor of the buyer who without notice of the contract purchases the goods or acquires by attachment or levy a lien uopn them unless the conditional sale contract or a copy thereof shall be filed in the filing district to which the goods are removed within ten days after the seller has received notice of the filing district to which the goods have been removed The provisions of this section shall not apply however to railroad or street or interurban railway equipment or rolling stock The filing shall be valid for a period of three years The provisions of section 3 regarding the necessity for refiling and the duration of the validity thereof shall apply to contracts or copies which are filed in a filing district other than where the goods are originally kept for use by the buyer after the sale

Section 7 Fraudulent Injury Concealment Removal or Sale When prior to the performance of the condition the buyer maliciously or with intent to defraud shall injure destroy or conceal the goods or remove them to a filing district where the contract or a copy thereof is not filed without having given the notice required by section 5 or shall sell mortgage or otherwise dispose of the goods under claim of full ownership he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to imprisonment for not more than one year or to pay a fine not exceeding five hundred dollars ($500) or both

Section 8 Retaking Possession When the buyer shall be in default in the payment of any sum due under the contract or in the performance of any other condition which the contract requires him to perform in order to obtain the property in the goods or in the performance of any promise the breach of which is by the contract expressly made a ground for the retaking of the goods the seller may retake possession thereof Unless the goods can be retaken without breach of the peace they shall be retaken by legal process but nothing herein shall be construed to authorize a violation of the criminal law

Section 9 Notice of Intention to Retake Not more than forty nor less than twenty days prior to the retaking the seller may serve uopn the buyer personally or by registered mail a notice of intention to retake the goods on account of the buyers default The notice shall state the default and the period at the end of which the goods will be retaken and shall briefly and clearly state what the buyer's rights under this act will be in case they are retaken If the notice is so served and the buyer does not perform the obligations in which he has made default before the day set for retaking the seller may retake the goods and hold them subject to the provisions of sections 11 12 13 14 and 15 regarding the sale but without any right of redemption

Section 10 Redemption If the seller does not give the notice of intention to retake as provided in section 9 he shall retain the goods for ten days after the retaking within the state in which they were located when retaken during which period the buyer upon payment or tender of the amount due under the contract at the time of retaking and interest or upon performance of any other condition as may be named in the contract as precedent to the passage of the property in the goods or upon performance or tender of performance of any other promise for the breach of which the goods were retaken and upon payment of the expenses of retaking keeping and storage may redeem the goods and become entitled to take possession of them and to continue in the performance of the contract as if no default had occurred Upon written demand delivered personally or by registered mail by the buyer the seller shall furnish to the buyer a written statement of the sum due under the contract and the expense of retaking keeping and storage For failure to furnish the statement within a reasonable time after demand the seller shall forfeit to the buyer ten dollars ($10) and also be liable to him for all damages suffered because of such failure If the goods are perishable so that retention for ten days as herein prescribed would result in their destruction or substantial injury the provisions of this section shall not apply and the seller may resell the goods immediately upon their retaking The provision of this section requiring the retention of the goods within the State during the period allowed for redemption shall not apply to railroad or street or interurban railway equipment or rolling stock

Section 11 Compulsory Resale by Seller If the buyer does not redeem the goods within ten days after the seller has retaken possession and the buyer has paid at least fifty per centum of the purchase price at the time of the retaking the seller shall sell them at public auction in the State where they were at the time of the retaking the sale to be held not more than thirty days after the retaking the seller shall give to the buyer not less than ten days' written notice of the sale either personally or by registered mail directed to the buyer at his last known place of business or residence The seller shall also give notice of the sale by at least three notices posted in different public places within the filing district where the goods are to be sold at least five days before the sale If at the time of the retaking five hundred dollars ($500) or more has been paid on the purchase price the seller shall also give notice of the sale at least five days before the sale by publication in a newspaper published or having a general circulation within the filing district where the goods are to be sold The seller may bid for the goods at the resale If the goods are railroad or street or interurban railway equipment or rolling stock the parties may fix in the conditional sale contract the place where the goods shall be resold

Section 12 Resale at Option of Parties If the buyer has not paid at least fifty per centum of the purchase price at the time of the retaking the seller shall not be under a duty to resell the goods as prescribed in section 11 unless the buyer serves upon the seller within ten days after the retaking a written notice demanding a resale delivered prsonally or by registered mail If the notice is served the resale shall take place within thirty days after the service in the manner at the place and upon the notice prescribed in section 11 The seller may voluntarily resell the goods for account of the buyer on compliance with the same requirements

Section 13 Proceeds of Resale The proceeds of the resale shall be applied (1) to the payment of the expenses thereof (2) to the payment of the expenses of retaking keeping and storing the goods and (3) to the satisfaction of the balance due under the contract Any sum remaining after the satisfaction of the claims shall be paid to the buyer

Section 14 Deficiency on Resale If the proceeds of the resale are not sufficient to defray the expenses thereof and also the expenses of the retaking keeping and storing the

goods and the balance due upon the purchase price the seller may recover the deficiency from the buyer or from any one who has succeeded to the obligations of the buyer

Section 15 Rights of Parties Where There is No Resale Where there is no resale the seller may retain the goods as his own property without obligation to account to the buyer except as provided in section 17 and the buyer shall be discharged of all obligation

Section 16 Election of Remedies After the retaking of possession as provided in section 8 the buyer shall be liable for the price only after a resale and only to the extent provided in section 14 Neither the bringing of an action by the seller for the recovery of the whole or any part of the price nor the recovery of judgment in such action nor the collection of a portion of the price shall be deemed inconsistent with a later retaking of the goods as provided in section 8 but the right of retaking shall not be exercised by the seller after he has collected the entire price or after he has claimed a lien upon the goods or attached them or levied upon them as the goods of the buyer

Section 17 Recovery of Part Payments If the seller fails to comply with the provisions of sections 10 11 12 13 and 15 after retaking the goods the buyer may recover from the seller his actual damages if any and in no event less than one-fourth of the sum of all payments which have been made under the contract with interest

Section 18 Waiver of Statutory Protection No act or agreement of the buyer before or at any time of the making of the contract nor any agreement or statement by the buyer in the contract shall constitute a valid waiver of the provisions of sections 10 11 12 13 and 15 except that the contract may stipulate that on such default of the buyer as is provided for in section 8 the seller may rescind the conditional sale either as to all the goods or as to any part thereof for which a specific price was fixed in the contract If the contract provides for rescission the seller at his option may retake such goods without complying with or being bound by the provisions of sections 9 to 17 inclusive as to the goods retaken upon crediting the buyer with the full purchase price of those goods So much of this credit as is necessary to cancel any indebtedness of the buyer to the seller shall be so applied and the seller shall repay to the buyer on demand any surplus not so required

Section 19 Validity of Conditional Sales Refiled on or after July 1 1954 Every provision in a conditional sale reserving property in the seller shall be valid as to any purchaser from or creditor of the buyer who after the effective date of this act purchases the goods or acquires by attachment or levy a lien upon them if the filing of the contract was valid under the uniform conditional sales act at 12:01 a m on July 1 1954 by reason of (1) having been filed (i) during the period beginning July 1 1951 and ending three years prior to the effective date of this act or (ii) in the case of railroad or street or interurban railway equipment or rolling stock during the period beginning July 1 1939 and ending fifteen years prior to the effective date of this act or (2) having been last refiled during the period beginning July 1 1953 and ending July 1 1954 and if the contract or a copy thereof was refiled on or after July 1 1954 and prior to the effective date of this act pursuant to the method prescribed by the Uniform Conditional Sales Act or is refiled within sixty days after the effective date of this act pursuant to the method prescribed by section three hereof The refiling shall be valid for a period of one year from the date of refiling or sixty days from the effective date of this act whichever is longer

Section 20 Effective Date This act shall take effect immediately

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Gaffney,	Magee,	Royer,
Agnew,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Auker,	Goldstein,	McGee,	Sherman,
Banker,	Gramlich,	McInroy,	Sigman,
Barnatovich,	Greenwood,	McKeever,	Smith, O. O.
Bazin,	Guss,	McLaughlin,	Smith, W. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Stank,
Boies,	Hamilton, W. H.,	Metz,	Stebbins,
Bonner,	Hass,	Mihm,	Steckel,
Boory,	Haudenshield,	Mikula,	Stephens,
Bower,	Heavey,	Miller,	Stevenson,
Branca,	Helm,	Mills,	Stone,
Breisch,	Henzel,	Monroe,	Stoner,
Brennan, A. P.,	Hewitt,	Moody,	Strausser,
Brennan, J. J.,	Hocker,	Moran,	Stroup,
Brenninger,	Holt,	Moscrip,	Swartz,
Breth,	Horst,	Muldowney,	Taylor,
Brown,	Houk,	Mullen,	Thomas,
Bucchin,	Isaacs,	Munley,	Thompson,
Capano,	Jenkins,	Murphy,	Toll,
Cianfrani,	Johnson,	Murray, H. P.,	Tompkins,
Cioffi,	Jones, G. E.,	Murray, J. J.,	Toomey,
Cochran,	Jones, T. H. W.	Murray, P. G.,	Varallo,
Comer,	Jump,	Musto,	Varner,
Connelly,	Kamyk,	Needham,	Vaughan,
Curwood,	Keller,	Ogilvie,	Verona,
Davis,	Kent,	Olsen,	Wall,
Donahue,	Knecht,	O'Neil,	Wallace,
Donaldson,	Kolankiewicz	Pacchioli,	Walsh,
Dougherty,	Kooker,	Parry,	Wargo,
Down,	Kornick,	Pashley,	Weidner,
Ehrgood,	Kratz,	Paulhamus,	Welsh,
Eilberg,	Kubacki,	Petrosky,	Wescott,
Erb,	Lafore,	Polaski,	Wheeler,
Eshleman,	Lawyer,	Polen,	Whitenight,
Ewing,	Leiby,	Pomeroy,	Willaredt,
Farabaugh,	Leisey,	Price,	Williams,
Filo,	Leonard,	Pursley,	Wood,
Flint,	Leven,	Readinger,	Worley,
Floyd,	Light,	Reibman,	Yetter,
Flynn,	Limper,	Reidenbach,	Yetzer,
Foster,	Lippincott,	Renwick,	Young,
Frank,	Lopresti,	Rigby,	Ziegler,
Frascella,	Lovett,	Rosen,	Andrews,
Frost,	Lutty,	Rovansek,	

NAYS—0

NOT VOTING—10

Bullen,	Kehler,	Naugle,	Waterhouse,
Cooper,	Kline,	Pettigrew,	Wilt,
Fineman,	Kromer.		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1735 as follows:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Com-

monwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating the speed of certain vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section 1002 act of May 1, 1929 (P. L. 905) known as "The Vehicle Code" amended June 5, 1947 (P. L. 399) is amended to read

Section 1002 Restrictions as to Speed

* * *

(c) Subject to the provisions of subsections (a) and (b) of this section it shall be unlawful for the following kinds types and classes of vehicles to be operated at a greater speed than hereinafter provided except when such vehicles are being operated on highways under the supervision and control of a Turnpike Commission in which case subject to speed restrictions by such Turnpike Commisison as hereinbefore provided the maximum speed limits shall be twenty miles per hour greater than hereinafter provided

[Commercial motor vehicles and truck tractors R class fifty miles per hour]

Motor buses and omnibuses fifty miles per hour

[Commercial motor vehicles and truck tractors S T and U classes forty miles per hour

Commercial motor vehicles and truck tractors V and W classes thirty-five miles per hour

All other commercial motor vehicles and truck tractors thirty miles per hour]

[All combinations of commercial motor vehicles or truck tractors and trailers or semi-trailers thirty miles per hour] all commercial motor vehicles and truck tractors all combinations of commercial motor vehicles or truck tractors and trailers or semi-trailers fifty miles per hour on highways having four or more lanes or forty miles per hour on highways having less than four lanes

Section 2 This act shall take effect January 1, 1956

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adam,	Garlock,	Magee,	Royer,
Agnew,	Gelfand,	Mahan,	Rubin,
Amarando,	George,	Markley,	Rudisill,
Anderson, M. S.,	Gibb,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibson,	McCann,	Scarcelli,
Ashton,	Goldstein,	McCormack,	Schuster,
Barnatovich,	Gramlich,	McGee,	Sherman,
Bazin,	Greenwood,	McInroy,	Sigman,
Bell,	Guss,	McKeever,	Smith, C. C.,
Blair,	Guthrie,	McLaughlin,	Smith, Wm. B.,
Boles,	Hamilton, R. K.,	McWherter,	Snider,
Bonner,	Hamilton, W. H.,	Meholchick,	Stank,
Boory,	Hass,	Metz,	Stebbins,
Bower,	Haudenshield,	Mihm,	Steckel,
Branca,	Heavey,	Mikula,	Stephens,
Breisch,	Helm,	Miller,	Stevenson,
Brennan, A. P.,	Henzel,	Mills,	Stone,
Brennan, J. J.,	Hewitt,	Monroe,	Stoner,
Brenninger,	Hocker,	Moody,	Strausser,
Breth,	Holt,	Moran,	Stroup,
Brown,	Horst,	Moscrip,	Swartz,
Bucchin,	Houk,	Muldowney,	Taylor,
Capano,	Isaacs,	Mullen,	Thomas,
Cianfrani,	Jenkins,	Munley,	Thompson,
Cioffi,	Johnson,	Murphy,	Toll,
Cochran,	Jones, G. E.,	Murray, H. P.,	Tompkins,
Comer,	Jones, T. H. W.,	Murray, J. J.,	Toomey,
Connelly,	Jump,	Murray, P. G.,	Varallo,
Curwood,	Kamyk,	Musto,	Varner,
Davis,	Keller,	Needham,	Vaughan,
Donahue,	Kent,	Ogilvie,	Verona,
Donaldson,	Knecht,	Olsen,	Wall,
Dougherty,	Kolankiewicz,	O'Neil,	Wallace,
Down,	Kooker,	Pacchioli,	Walsh,
Ehrgood,	Kornick,	Parry,	Wargo,
		Pashley,	Weidner,
Eilberg,	Kratz,	Paulhamus,	Welsh,
Erb,	Kubacki,	Petrosky,	Wescott,
Eshleman,	Lafore,	Polaski,	Wheeler,
Ewing,	Lawyer,	Polen,	Whitenight,
Farabaugh,	Leiby,	Pomeroy,	Willaredt,
Filo,	Leisey,	Price,	Williams,
Flint,	Leonard,	Pursley,	Wood,
Floyd,	Leven,	Readinger,	Worley,
Flynn,	Light,	Reibman,	Yetter,
Foster,	Limper,	Reidenbach,	Yetzer,
Frank,	Lippincott,	Renwick,	Young,
Frascella,	Lopresti,	Rigby,	Ziegler,
Frost,	Lovett,	Rosen,	Andrews,
Gaffney,	Lutty,	Rovansek,	Speaker

NAYS—2

Auker,	Banker,

NOT VOTING—10

Bullen,	Kehler,	Naugle,	Waterhouse,
Cooper,	Kline,	Pettigrew,	Wilt,
Fineman,	Kromer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1089, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" defining and providing for the establishment maintenance and the amount of and use of unearned premium reserves the release of unearned premiums reserves for unpaid losses and loss expense and the investment of reserve funds

On the question,

Will the House agree to the bill on third reading?

Mr. ROBERT K. HAMILTON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Section 2 (Section 690 (b)) page 3, line 11, by adding after the word "contracts" the following: "or agreements"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1091, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing for and regulating the investments of title insurance companies.

On the question,

Will the House agree to the bill on third reading?

Mr. ROBERT K. HAMILTON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 696 (c)) page 3, line 4, by striking out the following: "The surplus" and inserting in lieu thereof the following: "Any money over and above the capital and reserves"

Amend Section 1 (Section 696 (e)) page 4, line 4, by striking out the following: "the surplus funds" and inserting in lieu thereof: "Any money over and above capital"

Amend Section 1 (Section 696 (e)) page 4, line 5, by striking out the words: "the surplus funds" and inserting in lieu thereof: "any money over and above capital and reserves"

Amend Section 1 (Section 696 (f)) page 4, line 9, by striking out the following: "and surplus" and inserting in lieu thereof the following: "reserves and any money over and above capital and reserves"

Amend Section 1 (Section 696 (f)) page 4, line 12, by inserting after the word "of" and before the word "its" the following "the total of"

Amend Section 1 (Section 696 (f)) page 4, line 13, by striking out the first word which is "and" and also by striking out the following words: "surplus combined" and inserting in lieu thereof the following "reserves and any money over and above capital and reserves"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1773, as follows:

An Act further amending the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due to the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" making certain information regarding refunds available for public inspection changing certain provisions as to the imposition and remission of penalties and granting of refunds and clarifying provisions as to settlements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (a) (b) and (c) section 503 of the act of April 9, 1929 (P. L. 343) known as "The Fiscal Code" as last amended by the act of January 19, 1952 (P. L. 2178) is hereby further amended to read as follows

Section 503 Refunds of State Taxes License Fees Et Cetera The Board of Finance and Revenue shall have the power and its duty shall be

(a) To hear and determine any petition for the refund of taxes license fees penalties fines bonus or other moneys paid to the Commonwealth and to which the Commonwealth is not rightfully or equitably entitled and upon the allowance of any such petition to refund such taxes license fees penalties fines bonus or other moneys out of any appropriation or appropriations made for the purpose or to credit the account of the person association corporation body politic or public officer entitled to the refund A list of the final amounts of any such refunds or credits in excess of five thousand dollars ($5000.00) hereafter granted for corporation taxes the names of the corporations entitled thereto and a brief summary of the reasons therefor and a list of the names and final amounts of any such refunds or credits in excess of two hundred dollars ($200.00) hereafter granted to any persons or corporations shall be available for public inspection The jurisdiction of the Board of Finance and Revenue to hear and determine a petition for refund as aforesaid shall not be affected or limited (1) by the fact that proceedings under sections 1103 or 1104 of this act involving the same tax or bonus and period for which a refund is sought are pending have been withdrawn or have been otherwise closed provided such proceedings relate to other objections than those raised in the petition for refund or provided such petition for refund is based upon a final judgment or decision of a court of competent jurisdiction holding the Act of Assembly under which the petitioner paid the tax or other money involved to be unconstitutional or to have been erroneously interpreted or (II) or the fact that a petition under section 1102 of this act involving the same tax or bonus and period and involving either the same or different questions than those raised in the petition for refund is pending has been withdrawn or has been otherwise closed All such petitions for refund must be filed with the board within two years of the payment of which refund is requested or within two years of the settlement in the case of taxes or bonus whichever period last expires except

(1) Where a petition for refund filed by a domestic or foreign corporation involves the valuation of its capital stock or in case of a foreign corporation the valuation of its tangible property for bonus purposes or where a petition for refund filed by a bank title insurance or trust company involves the valuation of its shares of stock such petition must be filed with the board within one year of the payment of which refund is requested or within one year of the settlement of such taxes or bonus whichever period last expires

(2) When the estate upon which any transfer inheritance tax has been paid shall have consisted in whole

or in part of a partnership or other interest of uncertain value or shall have been involved in litigation by reason whereof there shall have been an overvaluation of that portion of the estate on which the tax has been assessed and paid which overvaluation could not have been ascertained within said period of two years In such case the application for repayment shall be made to the Board of Finance and Revenue within one year from the termination of such litigation or ascertainment of such overvaluation

(3) When a court of record has adjudged a person to be legally dead and thereafter in the settlement of his or her estate a transfer inheritance tax shall have been paid on such estate and after such payment has been made such person shall reappear and the court shall rescind its order and adjudication In such case the petition to the board shall be filed within six months after the court shall have rescinded its order and adjudication

(4) When any tax or other money has been paid to the Commonwealth under a provision of an Act of Assembly subsequently held by final judgment of a court of competent jurisdiction to be unconstitutional or under an interpretation of such provision subsequently held by such court to be erroneous In such case the petition to the board may be filed either prior or subsequent to such final judgment but must be filed within five years of the payment of which a refund is requested or within five years of the settlement of such taxes bonus or other moneys due to Commonwealth whichever period last expires The board shall have jurisdiction to hear and determine any petition for refund filed prior to such final judgment only if at the time of the filing thereof proceedings are pending in a court of competent jurisdiction wherein the claims of unconstitutionality or erroneous interpretation made in the petition for refund may be established and in such case the board shall not act upon the petition for refund until the final judgment determining the question or questions involved in such petition has been handed down

(b) To hear and determine any petition for the remission of penalties imposed and paid for failure to file any tax or bonus report within the time specified by law If the board be satisfied that the failure to file the report was not wilful that the report was actually filed within thirty days after it was due and that the amount of tax or bonus exclusive of penalty admitted to be due was paid to the Commonwealth within thirty days after the date when payment of the tax or bonus became due it may allow the petition and refund the amount of the penalty or any part thereof out of any appropriation or appropriations made for the purpose or credit the account of the person association corporation body politic or public officer by whom or which the penalty was paid but no such petition shall be considered unless it be filed within two years after the penalty was paid

In the case of petitions for the remission of penalties imposed and paid for failure to file tentative reports for the year 1953 or fiscal years beginning in 1953 under Section 4 (b) of the Corporation Income Tax Law as reenacted and amended the Board may allow such petitions if it is satisfied that the failure to file the tentative report was not wilful that the tentative report was actually filed within one (1) year after it was due and that the amount of tax required to be paid with such tentative report was paid to the Commonwealth within one (1) year after the date when payment of such tax became due but no such petition shall be considered unless it is filed prior to the first day of July 1956

(c) To hear and determine petitions for the remission of penalties imposed but not paid for failure to file any tax or bonus report within the time specified by law If the board be satisfied that the failure to file the report was not wilful that the report was actually filed within thirty days after it was due and that the amount of tax or bonus exclusive of penalty admitted to be due was paid to the Commonwealth within thirty days after the date when payment of the tax or bonus became due it may strike off the penalty or any part thereof but no such petition shall be considered unless it be filed within two years after the penalty was imposed

In the case of petitions for the permission of penalties imposed but not paid for failure to file tentative reports for the year 1953 or fiscal years beginning in 1953 under Section 4 (b) of the Corporate Net Income Tax Act as reenacted and amended or under Section 4 (b) of the Corporation Income Tax Law as reenacted and amended the Board may allow such petitions if it is satisfied that the failure to file the tentative report was not wilful that the tentative report was actually filed within one (1) year after it was due and that the amount of tax required to be paid with such tentative report was paid to the Commonwealth within one (1) year after the date when payment of such tax become due but no such petition shall be considered unless it be filed prior to the first day of July 1956

Section 2 Clause 730 renumbered 731 of the said act as last amended by the act of July 9 1941 (P L 305) is further amended to read as follows

Section 731 Confidential Information Any information gained by any administrative department board or commission as a result of any returns investigations hearings required or authorized under the statutes of the Commonwealth imposing taxes or bonus for State purposes or providing for the collection of the same shall be confidential except for official purposes and except that such information may be given to any other state or to the Government of the United States where such state or the United States by law authorizes the furnishing of similar information to the Commonwealth of Pennsylvania Any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

For purposes of this section information regarding refunds or credits and the names of the persons or corporations entitled thereto which is available for public inspection under the provisions of this act shall not be deemed confidential

Section 3 Clause (b) of Section 801 of the said act as last amended by the Act of February 2 1937 (P L 3) is further amended to read as follows

(b) All such settlements shall as far as possible be so made that notice thereof may reach the taxpayer before the end of the year succeeding the year for which the tax or bonus report or return was made or ought to have been made Where notice of the settlement has not reached or does not reach the taxpayer before the end of a year after the tax report was required to be made the settlement shall nevertheless be valid and binding upon the taxpayer

Section 4 Section 806 of the said act as last amended by the Act of August 19 1953 (P L 1146) is hereby further amended to read as follows

Section 806 Interest on Taxes and Bonus Due the Commonwealth All tax and bonus due the Commonwealth as provided by law shall bear interest at the rate of six per centum per annum from the date they are due and payable until paid Provided That in the case of all taxes and bonus which other provisions of this act require taxpayers to compute and pay at the time of filing the report or return if a settlement is not made within one year after the date upon which the report or return was filed no interest whatsoever shall be imposed for the period between the end of such one year and sixty days after the date of the approval of the settlement unless the taxpayer has filed a written waiver permitting interest to run after the end of said one year Provided further That no penalties imposed under sections 1701 [and] 1702 and 1705 of this act for failure to file bonuses or tax reports on time shall bear any interest whatsoever The payment of interest as aforesaid shall not relieve any person association or corporation from any of the penalties or commissions prescribed by law for neglect or refusal to furnish reports to the Department of Revenue or to pay any claim due to the Commonwealth from such person assiciation or corporation

Whenever the tax or bonus liability of a taxpayer is so affected by any settlement or resettlement as to change

the interest liability which has been settled against such taxpayer such interest liability shall be adjusted by the Department of Revenue and the Department of the Auditor General so as to correspond to the tax or bonus liability as changed without the necessity for the filing of any petition or request by the taxpayer or by said departments

Section 5 Section 1705 of the said act is hereby amended to read as follows

Section 1705 Failure of Bank Savings Institution Title Insurance Company or Trust Company to Make Report Pay Tax or Post Notice of Settlement If any bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth or any title insurance company or trust company as defined in section 712 of this act shall fail or refuse to make the report required by section seven hundred eleven or section seven hundred twelve of this act at the times therein specified or shall make any false statement in such report or shall fail or refuse by its officers to appear before the Department of Revenue or shall fail or refuse to produce its books for examination when required to do so by the Department of Revenue the department shall after having ascertained the actual value of each share of the capital stock of such company from the best information it can obtain add the following percentages thereto [ten percentum] as a penalty assess the tax and proceed according to law to collect the same from such company On the first one thousand dollars of tax ten per centum on the next four thousand dollars five per centum and on everything in excess of five thousand dollars one per centum [and] If the president secretary or treasurer of any such company shall neglect or refuse to post a copy of the settlement in a conspicuous place in such company's place of business immediately upon the receipt of the same so as to give notice to the shareholders such president secretary or treasurer shall be adjudged to be in default and as a penalty for such default such company shall be responsible to the Commonwealth for the amount of the tax assessed against the shareholders of such company

Section 6 The provisions of this act shall become effective immediately upon final enactment The foregoing amendment to Section 801(b) being intended as a clarification of existing law and as an expression of legislative intent shall apply to all tax settlements heretofore made as well as to those hereafter made

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adam,	Gaffney,	Lutty,	Royer,
Agnew,	Gelfand,	Magee,	Rubin,
Amarando,	Gibb,	Mahan,	Rudisill,
Anderson, M. S.,	Gibson,	Markley,	Sarraf,
Anderson, S. A.,	Goldstein,	McCann,	Scarcelli,
Ashton,	Gramlich,	McCormack,	Schuster,
Auker,	Guss,	McGee,	Sherman,
Banker,	Guthrie,	McInroy,	Sigman,
Barnatovich,	Hamilton, R. K.,	McKeever,	Smith, C. O.,
Bazin,	Hamilton, W. H.,	McLaughlin,	Snider,
Bell,	Hass,	McWherter,	Stank,
Boles,	Haudenshield,	Meholchick,	Stebbins,
Bonner,	Heavey,	Metz,	Steckel,
Boory,	Helm,	Mihm,	Stephens,
Bower,	Henzel,	Mikula,	Stone,
Branca,	Hewitt,	Miller,	Stoner,
Brennan, A. P.,	Hocker,	Mills,	Strausser,
Brennan, J. J.,	Holt,	Monroe,	Stroup,
Brenninger,	Horst,	Moran,	Swartz,
Breth,	Houk,	Moscrip,	Taylor,
Brown,	Isaacs,	Muldowney,	Thomas,
Bucchin,	Jenkins,	Mullen,	Thompson,
Cianfrani,	Johnson,	Munley,	Toll,
Cioffi,	Jones, G. E.,	Murphy,	Tompkins,
Cochran,	Jones, T. H. W.,	Murray, H. P.,	Toomey,
Comer,	Jump,	Murray, J. J.,	Varallo,
Connelly,	Kamyk,	Musto,	Varner,
Curwood,	Keller,	Needham,	Vaughan,
Davis,	Kent,	Ogilvie,	Verona,
Donahue,	Kolankiewicz,	Olsen,	Wall,
Donaldson,	Kooker,	O'Neil,	Wallace,
Dougherty,	Kornick,	Pacchioli,	Walsh,
Down,	Kratz,	Pashley,	Wargo,
Ehrgood,	Kubacki,	Paulhamus,	Weidner,
Eilberg,	Lafore,	Petrosky,	Welsh,
Erb,	Lawyer,	Polaski,	Wheeler,
Eshleman,	Leiby,	Polen,	Whitenight,
Ewing,	Leisey,	Pomeroy,	Willaredt,
Farabaugh,	Leonard,	Price,	Williams,
Flint,	Leven,	Pursley,	Wood,
Floyd,	Limper,	Readinger,	Worley,
Flynn,	Lippincott,	Reibman,	Yetter,
Foster,	Lopresti,	Reidenbach,	Yetzer,
Frank,	Lovett,	Renwick,	Ziegler,
Frascella,		Rigby,	Andrews,
Frost,			Speaker

NAYS—1

Greenwood,

NOT VOTING—27

Blair,	Garlock,	Maxwell,	Rovansek,
Breisch,	George,	Moody,	Smith, Wm. B.,
Bullen,	Kehler,	Murray, P. G.,	Stevenson,
Capano,	Kline,	Naugle,	Waterhouse,
Cooper,	Knecht,	Parry,	Wescott,
Filo,	Kromer,	Pettigrew,	Wilt,
Fineman,	Light,	Rosen,	Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF INFORMATION

Mr. VAUGHAN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. VAUGHAN. Mr. Speaker, just a while ago we were called into a meeting of the Welfare Committee and while attending that meeting copies of House Bills 1879 and 1880 were supposed to be placed on our desks. As I understand most of the Members of the Welfare Committee did not receive either copy, nor did I. Are there any available or will there be any available?

The SPEAKER. If those who do not have copies of the bill will rise the Clerk will see that they are supplied with copies. The Clerk will arrange for immediate distribution.

The Clerk informs the Chair that only sufficient copies are available to supply every Member of the House and members of the press. A bill was placed upon the desk of each Member. Let those on the Majority side who have copies of the bill present them to Members on the Minority side who do not have copies.

Mr. VAUGHAN. Mr. Speaker, I would like to make another suggestion—that we get some copies from the Legislative Engineers.

The SPEAKER. That is a very good suggestion and the Chair observes occasionally there is ground for suspicion, that is exactly what some Members of the House do.

UNANIMOUS CONSENT REQUESTED TO READ HOUSE BILLS 1879 AND 1880 FOR FIRST TIME

Mr. READINGER. Mr. Speaker, I rise for the purpose of asking unanimous consent of the House to have House Bills 1879 and 1880 read for the first time.

The SPEAKER. Will the House give its unanimous con-

sent for House Bills 1879 and 1880 to be read for the first time?

Mr. CHARLES C. SMITH. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

HOUSE RULES 14, 41 AND 43 SUSPENDED

Mr. READINGER. Mr. Speaker, in view of the objection, I move that House Rules 14, 41 and 43 be suspended for the specific purpose of reading for the first time House Bills 1879 and 1880, which were reported from the Ways and Means Committee as committed today.

On the question,

Will the House agree to the motion?

POINTS OF ORDER

Mr. CHARLES C. SMITH. Mr. Speaker, I rise to a point of order at this time rather than on the motion.

The SPEAKER. The gentleman will state it.

Mr. CHARLES C. SMITH. Would the Speaker give the House an interpretation of House Rule 17?

The SPEAKER. The Chair would interpret Rule 17 as dealing specifically only with the introduction of bills.

Rule 17 reads:

> "Bills shall be introduced by filing with the Chief Clerk to be by him numbered and handed to the Speaker for reference to appropriate committees, and report at the session following the day of presentation.
>
> If the Speaker shall neglect or refuse to refer any bill or bills (whether House or Senate) within two days after presentation, x x x x"

If there is any disposition upon the part of any considerable number of Members in the House that Rule 17 should also be suspended, it is as easy to suspend Rule 17 as Rules 14, 41 and 43, but the Chair would hold that this Rule does not apply to this particular situation.

Mr. CHARLES C. SMITH. Mr. Speaker, I withdraw my point of order if that is the ruling of the Chair.

On the question recurring,

Will the House agree to the motion?

Mr. CHARLES C. SMITH. Mr. Speaker, here in Pennsylvania we have a Constitution. Whatever some of us think of that Constitution, it was drawn up, as all of us know, by the people who lived before us to protect the rights of the people.

Here today we are being asked to give unanimous consent to the suspension of a Rule of this House of Representatives, which requires that 24 hours elapse between the time a bill is reported from committee and is given first reading.

What bill is this that requires such great haste? What is the great emergency that is involved here? What bill is this that requires this haste at a moment when we have waited for many months?

The bill we are talking about, Mr. Speaker, happens to be Governor Leader's excise tax bill. He has dictated to this House like a tyrant. Before he even consulted any of the leaders of the House, he made his dictatorial statement to the newspapers of this state, and it was that this bill must pass by 1:00 a. m. Wednesday. That was the Governor talking before he conferred with anybody.

Just think of this, Mr. Speaker, a tax bill to raise $500 million from the people of Pennsylvania must be acted on in 36 hours from the hour it is introduced until the hour it is finally voted upon in this House because a man in the front office is taking the power in his hands to override us of the Legislature. Governor Leader said it must be passed.

We don't know what is in this bill and you don't know what is in this bill. I am glad that the gentlemen are admitting they don't know. If one of them who knows so much about it would like to be interrogated and will take the floor, I will take the opportunity of doing it, if the Speaker will allow.

The SPEAKER. The gentleman from Philadelphia has the floor and he has been speaking within his privilege. The Chair requests that he be not interrupted, except by a point of order if such occasion should arise. The gentleman will proceed.

Mr. CHARLES C. SMITH. The Press of Pennsylvania, and I have talked to them personally, have been unable to find out what the provisions in this bill are. And if the Press can't find out, how do we expect the people of Pennsylvania to know what is in it. In fact, I believe if I had the right to question the Members of the Ways and Means Committee, where this bill originated, I doubt that they would know too much about what is in this bill. I doubt of the Chairman of the Ways and Means Committee knows. He is a friend of mine and I would not embarrass him by asking him. I know that the Members of the Committee on our side have not had the opportunity to learn of its provisions. The bill was just given to us this very minute. In fact, I timed it, it was 9:05 when the bill was handed to us.

What is going to happen if we read this bill for the first time today? Just let us look at the mechanics of the thing. Here is what will happen. The first news of what is in this bill, the details of its provisions and how it is going to affect the people of Pennsylvania will appear in the early morning papers of tomorrow. Twenty-four hours later, when the readers of those very same newspapers pick up their papers, the bill will have been acted upon and passed by this House and sent to the Senate by order of the Governor.

I know that in the past somebody could criticize the Republican party for introducing a bill and doing the very same thing. I say to you, Mr. Speaker, if this bill were a bill that the people of Pennsylvania knew something about, we would not stand here today and try to get you people not to read it for the first time.

But let us go back to 1951. How many of us did not know what the accelerated net income tax was when we did this? How many of the people did not know what an increase in the inheritance tax meant? How many people did not know what an increase in the gross receipts tax meant? And how many people did not know what a real estate transfer tax meant at two per cent?

It was known by the people of Pennsylvania, Mr. Speaker, but today you have a bill, a brand new bill, one which has never been tried in this country. There is not one state that has this type of legislation, and nobody knows what effect it will have. In fairness to the Majority Leader and the rest of you, you don't know and you can't be expected to know. I don't know and neither do any of the others.

No one who is going to be affected by this bill, and

keep in mind it is going to affect everybody in Pennsylvania, will ever have a chance to tell us—we who are the elected representatives of the people—their opinions or their views. They will be denied their right of petition, and keep that in mind, by our Bill of Rights the public has the right of petition and the public is being deprived of that right today at this very moment. We might just as well tear that right out of the Constitution because you on the other side of the House are foolish, because of the dictates of the man in the front office, taking the right of petition away from the people of this great state.

I must refer to you at this time, Mr. Speaker, not personally, but because of the time you did carry the minority vote on the other side, and I know that when you spoke you not only spoke for yourself but I think you spoke for the thinking of the minority. We have had a Speaker in the past who has upheld the rights of the people. Again and again in other sessions he has spoken against haste and has spoken against speed when important legislation was before this House. On that point he has always taken the side of and fought for the rights of the voter. Let me ask you, Mr. Speaker, why aren't you out here fighting today on the same basis?

I would like to read some quotes, not of yours, Mr. Speaker, but I assume that they were the quotes of the minority party at the time.

Mr. Andrews in 1951 said: "The real criminal in this proceeding is not whoever it was that formulated the program. The real criminal in the proceeding is whoever it was that decreed that this program should not be submitted to public scrutiny by means of a public hearing."

It was Mr. Andrews of the Minority Party, it was Mr. Petrosky, it was Mr. Lovett, who hollered and screamed for a public hearing. We would be interested in reading some of the quotes.

Mr. Andrews also said: "Public hearings are the only protection the taxpayer has. The groups entrenched here on Capitol Hill, with all the means of disseminating information that they may have, cannot carry their story to the public except by means of a public hearing, and it is only as the newspapers hand out news stories can they tell the people what is going on."

This one, Mr. Speaker, is a masterpiece:

"There are some 10 million people in Pennsylvania and at the present time I do not suppose that 500,000 of them really know the sort of murder that we are planning here in Harrisburg."

Mr. Speaker, let me say to you, and I know that you were quoting your party, not only yourself, if there are ten people in the state of Pennsylvania, citizens, who know what is in this bill, it is a lot, not 500,000. Today you and your Members, who in the past have asked for public hearings, sit there mum and deny the right of the people to ask for a public hearing on this piece of legislation. There is not a voice raised today for a public hearing.

I don't know, possibly you didn't mean that when you said it, possibly your party didn't mean it, perhaps they were playing politics. If they were, they certainly were not sincere.

Surely if there was ever a bill that needed the fullest kind of explanation, this is it, believe me. This tax has never been tried in any other state before, and no one knows how it will work, not even the Governor.

It is the greatest experiment in state financing that has ever been attempted anywhere. We are not talking about the merits of the bill, it is the principle of what you are doing with an entirely new piece of legislation.

All we are asking for is an extra day. I know you are going to say: What can you do in an extra day? At least, the Press can get another newspaper story out of it. Morally, and if you live the way you talked in the past, you will hold up final action on this bill for at least a week. After eleven months certainly another week will not destroy our Commonwealth. But we are not pleading for that, we are only asking for an extra 24 hours, that is the only thing we plead for, and we do it with all the sincerity I can convey to you Members. Please, for your sake, for the sake of the people of Pennsylvania and for the sake of your own party, give us 24 hours so the people may know that we are not rushing this thing through, just because the man in the front office has dictated to the Legislature. If it means, Mr. Speaker, that we have to stay here until Thanksgiving, we are willing to stay here.

Today every Member of the House received a copy of a letter from our Speaker. I want to quote one sentence from that letter.

> "We are being depicted in the public prints and in various forums—political and non-political—as a set of quibbling, dilatory misfits who are more interested in party politics and major political intrigue than we are in matters of public concern."

Mr. Speaker, I am glad you said those words. Our Speaker, you know, has always been foremost in upholding the prestige of this Legislature. I agree with him that the Press has been saying more and more that we are not showing statesmanship and, Mr. Speaker, what concerns me is that this criticism is not directed at Republicans or is being directed at Democrats, it is being directed at the Legislature—you and I, and every man and woman sitting in this House. What are we doing in the public eye? We are going down lower, and lower, and lower.

Mr. Speaker, our Government has been built on the basis of a strong executive, a strong legislature, and you know that, and a strong judiciary, and they should be separate units. I am not so naive as to believe that the Governor does not have the right to say to us what he wants us to do, and to say that to you as his party. I don't deny him that right, but I do deny the right of the Governor to play politics to the point that he is playing it now.

The Governor talks and acts and looks like a very young, fair, honest, sincere individual, but, Mr. Speaker, his mind is the mind of a political boss of old when he dictates in that manner. He is tearing down your party, and our party, and the prestige of this great House of the Legislature when he tells you to do what you are doing today.

If you go through with this plan of the Governor's to bulldoze this tax through this House in 36 hours, you will be proving what the Press has been saying in editorials is right, I will grant them they are right and I am willing to agree they are right when they said those things about us.

You will be proving that we follow the dictates of a boss politician in the front office. We are going to follow him like sheep. If you are going to follow him like sheep, you don't belong here as the elected representatives of the people when it coms to this type of legislation. I say that in all sincerity.

You are going to turn back the pages of history to the old boss rule of other times. Mr. Speaker, you and I and many of us have heard the stories of what happened in the past because of boss rule in Pennsylvania. You know and I and many of us have heard the stories of what happened in the past because of boss rule in Pennsylvania. You know and I know, and you have been proud and I have been proud, and there are many Members on the other side of the House and on this side of the House who have been proud, that we have gotten away from that type of government. It wasn't good government. It wasn't good government for us as individuals in the Legislature and it wasn't good government for the people of Pennsylvania

Mr. Speaker, no matter what your Governor looks like on television, no matter how young, how naive he looks, he is getting the mind of a boss politician, regardless of what he says when he dictates to you, to me and to this Legislature like he is dictating today and has dictated in the past.

If we keep on doing the Governor's bidding, we will not only lose what little prestige we have left—and let me say, Mr. Speaker, I agree with you it is very little—but we will lose our power as a branch of government. None of us want that kind of goverment. It is not good for us and it is not good for the people of Pennsylvania.

Four months ago, if you will remember, we had another tax bill before us. Then the Governor dictated that it be delayed, and like serfs and like sheep you on the other side of the House took it and swallowed it and broke all precedent. He was the one who said the bill should be delayed. Why? Because he had political reasons, he hoped to do something in the Senate, and because of politics he broke the precedents of this House which had lasted for hundreds of years.

Today what does he do, he takes a complete flop-flop because it is to his advantage to get rid of a hot potato and try to put the blame on a Republican Senate. He wants to get it there as fast as he can before the heat gets on. Let's be honest about it, you know it and I know it. Sure, it is smart politics, but, Mr. Speaker, the Governor of this state should show a little more statesmanship and a little less politics. We are getting a little bit too much of it.

The Governor has dictated that this bill must pass in 36 hours, the orders now are for speed and not for delay. Again you are going to follow, you are going to follow like serfs, like Huey Long's representatives did in Louisiana where they had a bell up at the Speaker's desk. It won't be long before we probably will find one there from our Governor if he keeps up this attitude of telling you when he wants a bill delayed and when he wants it hurried up, and particularly a bill that the people know nothing about.

We are not discussing the merits of this tax and we don't intend to. We couldn't do it even if we were permitted to do so. We just don't have enough information on it believe me, nor do the people have enough information. A tax genius at this point of the business would be unable to say what the impact of this tax bill will be. He would be unable to say how it is going to affect the individual voters. Mr. Speaker let me say that we don't have any tax geniuses in this House.

I think today you are seeing the prestige of this House sink to a lower level than it has been for many years. I don't say this with any political thought in mind. I have been proud to be a Member of this House, I think there are many of you on the other side who have been proud, I know you have been proud Mr. Speaker, and many Members on our side have been proud to be Members.

Mr. Speaker, if these things continue, let me again remind you it is bad for your Democratic Party. They are not the principles it was built upon. They are not the principles this great Commonwealth was built upon, and they are not the principles our nation was built upon.

Mr. Speaker, we don't want dictators who dictate to the Legislature on this type, this terribly important kind of legislation.

Mr. Speaker, I again plead, and all the Members on this side plead with you to please give us one extra day so that the people of Pennsylvania will at least get an even break, and not have this thing stuffed down their throats before they know what has happened.

Mr. READINGER. Mr. Speaker, all of us revere Thanksgiving Day and what it stands for. While I listened to the Minority Leader's spech, I was thinking that it was unfortunate that Thanksgiving comes on Thursday of this week, and prevents him from having the much wanted additional twenty-four hours. I think the gentleman well knows that this House would not stay in session on Thanksgiving Day for the purpose of considering this or any other bill.

He has spoken at great length about how we are perverting the system which we followed for hundreds of years. He mentions the Constitution with reverence and so forth. All he wants to gain is an additional twenty-four hours.

Let me say this, that the Constitution of Pennsylvania, under which we operate, wisely provided that each bill shall be read in this House on three different days before it is considered and voted on. We are strictly following the Constitution of Pennsylvania in what we are doing and proposing to do. The bill was read today, or will be I hope; it will be read again at length tomorrow and it will be again read on Wednesday of this week.

It is now ten o'clock on Monday, I would say that the reading time of House Bill 1879 should not be more than one hour, and that of 1880 perhaps twenty minutes. We are going to meet at noon tomorrow and we shall probably be in session six hours during which time this bill will be called up for second reading, and as the gentlemen on the other side and this side know is fully debatable on second reading. Anybody can offer amendments to it, anybody can discuss the merits of it, and I assure you that I shall be fully prepared, and other of my colleagues on this side will be tomorrow to answer any questions you may have about sections of this tax act.

You are entitled to that information. You represent the people of Pennsylvania, we do too, and what we do here

we are doing for them, and what we do here is going to affect them.

The gentleman speaks about a public hearing. I would like to inquire whether in his memory there has ever been a public hearing on a tax measure. I have been here nineteen years now, and I can remember no public hearing on any tax revenue-raising bill. That does not mean that there cannot be one, it does not mean that there will not be any in the future, but I say to you tonight, and I think the gentleman will have to agree, that if we were to have hearings on every proposal for a major tax measure, we would never enact any, because there is no tax that is not going to fall rather heavily on some people, and they would always be here in great numbers to protest against the imposition of any kind of a tax.

The gentleman has spoken about the lowering of the prestige of this House. He may be right in part, but I think he has exaggerated the point. I think people, if they are criticising us, are criticising us for the fact that we have been in session as long as we have been without being able to solve our tax problems.

We had another session in 1951 which lasted just about the same length of time, or the same time that this one will last. That was unfortunate too, we could not solve the tax problems then in a hurry. But now, the Majority party which stated a long time ago that we accept the responsibility of enacting a tax program has made a decision, and has decided to go ahead with it, and he complains bitterly because we do not delay another week or ten days or even twenty-four hours. What does he hope to gain by that delay? He speaks about newspaper publicity. I have ben reading the papers too, and the papers seem to have covered the subject quite well concerning this manufacturers' excise tax which is embodied in House Bill 1879. They have stated what the rate is; they have stated that the estimated yield is $420 million or roughly that, even though the gentleman uses the figure $500 million.

The gentleman on the other side, and some of the Members of the body on the other side of this Capitol building have made many, many statements since last Thursday, stating in their opinion that this is just a hidden sales tax. What does the gentleman want the public to know? This bill will be fully debated tomorrow, the newspapers will carry the story of what was said about this tax and what the tax calls for. The people will learn long before this bill ever gets to the Governor's desk exactly what is in it and exactly what it will mean to them.

We think it is a good program; we think it is going to be a fair tax and we intend to pass this tax. If the gentleman would succeed in his endeavor to delay us until next Monday or Tuesday or Wednesday of next week, we would still pass this tax bill because we think it is the best one obtainable under the circumstances.

He well knows what we proposed in the first instance and how it died. If the Senate of Pennsylvania, the co-ordinate branch of this legislative part of the government, can kill the bill that we worked on for six months in one day or two days as it did, certainly there should be no shame in our passing another tax program in three days. It just so happens that because of Thanksgiving we are not meeting at the normal time on Wednesday, we want to let our Members go home Wednesday night if possible, or Tuesday night rather, so that they can spend Thanksgiving Day with their families and their friends. But they would like to make us look like ogres and devils and so forth because we have decided what to do and we are intending to do it. If the public thinks ill of us for taking firm steps to enact a tax program in this House after following the Constitution specifically, then the public will be greatly mistaken, and I say that the gentleman is wrong when he says that anybody will condemn us for the speed with which this program is passed. I think it is right, and I think we should all vote in favor of this motion.

Mr. CHARLES C. SMITH. Mr. Speaker, we ask for a slow roll call.

The SPEAKER. The Chair assures the gentleman from Philadelphia that if there had been no request for a roll call the Chair would have requested the privilege of making such a request from the Floor of the House himself.

The request for a roll call was seconded by Messrs. HELM and KENT.

The roll was called and was as follows:

YEAS—110

Adam,	Frascella,	McLaughlin,	Sarraf,
Amarando,	Gaffney,	McWherter,	Scarcelli,
Anderson, M. S.,	Garlock,	Meholchick,	Schuster,
Anderson, S. A.,	Gelfand,	Mihm,	Sherman,
Barnatovich,	Guss,	Mills,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Monroe,	Snider,
Boles,	Hass,	Moran,	Stank,
Bonner,	Heavey,	Muldowney,	Stebbins,
Boory,	Holt,	Mullen,	Stephens,
Branca,	Jenkins,	Munley,	Stone,
Brennan, A. P.,	Jones, G. E.,	Murray, J. J.,	Swartz,
Brennan, J. J.,	Kamyk,	Musto,	Taylor,
Breth,	Kolankiewicz,	Needham,	Thomas,
Bucchin,	Kornick,	Olsen,	Toll,
Capano,	Kubacki,	O'Neil,	Varallo,
Cianfrani,	Lawyer,	Pacchioli,	Verona,
Cioffi,	Leiby,	Pashley,	Wallace,
Cochran,	Leonard,	Paulhamus,	Walsh,
Comer,	Leven,	Petrosky,	Wargo,
Curwood,	Limper,	Polaski,	Welsh,
Dougherty,	Lopresti,	Polen,	Wheeler,
Eilberg,	Lovett,	Readinger,	Whitenight,
Farabaugh,	Lutty,	Reibman,	Williams,
Filo,	Maxwell,	Reidenbach,	Yetter,
Flint,	McCann,	Renwick,	Yetzer,
Floyd,	McCormack,	Rosen,	Andrews,
Flynn,	McGee,	Rovansek,	Speaker
Frank,	McKeever,	Rudisill,	

NAYS—83

Agnew,	Gibson,	Lafore,	Royer,
Ashton,	Goldstein,	Leisey,	Rubin,
Auker,	Gramlich,	Lippincott,	Sigman,
Banker,	Greenwood,	Magee,	Smith, C. C.,
Bell,	Guthrie,	Mahan,	Steckel,
Blair,	Hamilton, W. H.,	Markley,	Stevenson,
Bower,	Haudenshield,	McInroy,	Strausser,
Brenninger,	Helm,	Metz,	Stroup,
Connelly,	Henzel,	Mikula,	Thompson,
Davis,	Hewitt,	Miller,	Tompkins,
Donahue,	Hocker,	Moody,	Toomey,
Donaldson,	Horst,	Moscrip,	Varner,
Down,	Houk,	Murphy,	Vaughan,
Ehrgood,	Isaacs,	Murray, H. P.,	Wall,
Erb,	Johnson,	Murray, P. G.,	Weidner,
Eshleman,	Jones, T. H. W.,	Ogilvie,	Willaredt,
Ewing,	Jump,	Parry,	Wood,
Foster,	Keller,	Pomeroy,	Worley,
Frost,	Kent,	Price,	Young,
George,	Kooker,	Pursley,	Ziegler,
Gibb,	Kratz,	Rigby,	

NOT VOTING—16

Breisch,	Fineman,	Kromer,	Stoner,
Brown,	Kehler,	Light,	Waterhouse,
Bullen,	Kline,	Naugle,	Wescott,
Cooper,	Knecht,	Pettigrew,	Wilt,

So the question was determined in the affirmative and Rules 14, 41 and 43 were suspended.

(Following the calling of the roll and before the result was announced)

Mr. CHARLES C. SMITH. I hope the Chair will not rule me out of order while the Clerks are counting the roll. We will not ask for a verification and I would like to congratulate the Majority Leader on the job he did getting the Members in their seats.

Mr. READINGER. Mr. Speaker, I deeply appreciate the compliment just paid me by the Minority Leader, but my hands are so tied and I am so busy debating and doing other things that I should not be given that credit. It should go to my good assistant, the Whip of the House and his assistants. They did an excellent job and I hope they can continue to do it the rest of the session.

BILLS ON FIRST READING

Mr. READINGER asked and obtained unanimous consent for House Bill No. 1879 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1879 entitled:

An Act to provide revenue for Commonwealth purposes by imposing a tax on the sale of certain tangible personal property and on the use storage or consumption of certain tangible personal property providing for the reporting and payment of tax payment of interest and penalties assessments collections liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers and individuals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. READINGER asked and obtained unanimous consent for House Bill No. 1880 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1880 entitled:

An Act to further amend sections twenty and twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further suplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," by requiring additional reports and changing the due date of certain payments of capital stock tax and franchise tax; and changing the gross receipts fraction applicable to foreign corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

By Messrs. McCANN and POLEN.

HOUSE BILL NO. 1881.

An Act making an appropriation to the Department of Public Instruction for payment to school districts on account of approved reimbursable rental payable to the State Public School Building Authority, municipality authorities and nonprofit corporations.

Referred to the Committee on Appropriations.

By Messrs. CIANFRANI, BELL and WORLEY.

HOUSE BILL No. 1882.

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire and repair the Caleb Pusey House and to convey it to the Delaware County Historical Society, and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. BAZIN, GELFAND and KOLANKIEWICZ.

HOUSE BILL No. 1883.

An Act to provide revenue by imposing an excise tax, payable by those herein defined as manufacturers and bottlers of bottled soft drinks, and syrups as herein defined, prepared, used, sold, transported or delivered within the Commonwealth and by others; requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale, and transportation of syrup and bottled soft drinks to secure permits; prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax; providing for the use of the proceeds for veterans' compensation and public school purposes; conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties.

Referrel to the Committee on Ways and Means.

By Mr. LAWYER. HOUSE BILL No. 1884.

An Act amending the act of June 3, 1933 (P. L. 1449), entitled "An act establishing a court of record in the county of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children; defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the apointment of probation officers, other necessary staff officials and assistants; providing for housing of same, and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," clarifying the jurisdiction of the court with respect to mentally disturbed and dependent children; specifying certain procedures with respect to transfer of cases; exempting summary violations of "The Vehicle Code" and providing for commitments to the State Department of Welfare.

Referred to the Committee on Judiciary.

By Mr. LAWYER. HOUSE BILL No. 1885.

An Act amending the act of June 2, 1933 (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," clarifying the jurisdiction of the courts with respect to mentally disturbed and dependent children; specifying certain procedures before the courts with respect to transfer of cases and probation officers; exempting summary violations of the Motor Vehicle Code; and providing for the commitments to the State Department of Welfare.

Referred to the Committee on Judiciary.

By Mr. LOPRESTI. HOUSE BILL No. 1886.

An Act to amend section two hundred one of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512), entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors' estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the apointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries," by changing the amount of wages or salary which an employer may pay to a deceased employee's spouse, or other certain persons whether or not a personal representative has been appointed.

Referred to the Committee on Judiciary.

By Messrs. RIGBY, GOLDSTEIN and VAUGHAN.
HOUSE BILL No. 1887.

An Act establishing as State highways, certain county highways, bridges, viaducts and approaches thereto, and requiring threir construction, repair and maintenance by the Commonwealth.

Referred to the Committee on Highways.

By Messrs. THOMPSON and TOMPKINS.
HOUSE BILL No. 1888.

An Act relating to statements of injured persons and negotiations for settlement of personal injury claims of injured persons; and imposing penalties.

Referred to the Committee on Judiciary.

By Mr. BOIES. HOUSE BILL No. 1889.

An Act amending the act of August 10, 1951 (P. L. 1182), entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the court of common pleas of Dauphin County; and prescribing penalties," further providing for the licensing of certain graduates of unincorporated schools or colleges of chiropractic.

Referred to the Committee on Professional Licensure.

By Messrs. CHARLES C. SMITH and READINGER.
HOUSE BILL No. 1890.

An Act reenacting and amending the act of September 26, 1951 (P. L. 1518), entitled "An act to provide for the registration and protection of trade-marks and to secure the rights, property and interests therein; providing for the assignment cancellation and revocation thereof, and imposing penalties for violation; conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof; and to repeal all acts inconsistent therewith," extending the act to service-marks used to identify certain services and distinguish them from others.

Referred to the Committee on Judiciary.

By Messrs. JUMP, BLAIR, FRANK and STANK.
HOUSE BILL No. 1891.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," authorizing the board to investigate and cause the prosecution of unlicensed establishments; authorizing the confiscation of certain property with certain limitations; and changing penalties.

Referred to the Committee on Liquor Control.

By Messrs. POLASKI and JOSEPH J. BRENNAN.
HOUSE BILL No. 1892.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and crtain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing compensation of members of the State Civil Service Commission.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. TOMPKINS.
(Concurrent) RESOLUTION No. 124.

In the House of Representatives, November 21, 1955.

During the past several years, riots and disturbances have occurred in many of the prisons and correctional institutions of this Commonwealth.

Charges and accusations of an unfavorable nature have more recently been levelled against certain of the Juvenile Correctional and Mental Institutions of this Commonwealth.

The riots and disturbances become a useless, unwarranted and additional expense to the Commonwealth in the destruction of property, jeopardy to health, limb and life, and a threat to the peace and security of the community.

The charges and accusations are detrimental to the health and welfare program of this Commonwealth, in making it difficult to retain present personnel, to procure new and additional personnel required for the efficient and proper operation and administration of our institutions, and in creating extremely disturbing conditions among and with the population of the institutions.

It appears that the conditions and circumstances which induced the riots, disturbances, charges and accusations could have been avoided by a closer and more constant inspection of these institutions; therefore be it

Resolved (if the Senate concur), That a permanent committee of six members of the General Assembly be created; three from the House of Representatives to be appointed by the Speaker, and three from the Senate to be appointed by the President Pro Tempore, whose duty it shall be from time to time to make unannounced visits to and inspections of all Commonwealth-owned, and Commonwealth-aided institutions, and to make periodic reports thereof to the House of Representatives and Senate when in session, and to the Governor, the Speaker of the House, and the President Pro Tempore of the Senate, when the General Assembly is in recess.

Referred to the Committee on Rules.

By Messrs. SARRAF and VAUGHAN.

RESOLUTION No. 125.

In the House of Representatives, November 21, 1955.

The Commonwealth of Pennsylvania recognizes the trucking industries as one of its leading industries. In peace and war, trucks are used to haul vast amounts of freight both in intrastate and interstate commerce.

Because of the great sizes and weights of trucks, the steady flow of traffic on our public highways is impeded and in some instances, especially in mountainous or hilly sections, traffic habzards are created.

The health and welfare of the public would be promoted and the flow of traffic and the transportation of freight expedited if highways were constructed whereby trucks could by-pass hilly or mountainous areas; therefore be it

Resolved, That the Joint State Government Commission study the advisability of constructing highways which would result in trucks by-passing hilly or mountainous areas in this State; and be it further

Resolved, That the Commission make a report of its findings together with appropriate legislation to the next General Assembly.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. BRANCA from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1159, entitled:

An Act to further amend subdivision (3) of subsection (1) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by extending the provisions thereof to include employes of the State and political subdivisions.

Mr. ROVANSEK from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1352, entitled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procdeure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupation diseases; making an appropriation; and prescribing penalties," including brucellosis within meaning of term of occupational diseases in certain cases.

Mr. LUTTY from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1367, entitled:

An Act amending the act of June 2, 1915 (P. L. 736) entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," providing for the payment of compensation to kin of deceased employes dying prior to receiving payment of total benefits and no longer requiring indemnity where compensation due is commuted by board.

Mr. LUTTY from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1368, entitled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," providing for the payment of compensation to kin of deceased employes dying prior to receiving payment of total benefits and no longer requiring indemnity where compensation due is commuted by board.

Mr. MILLER from the Committee on Welfare, reported as committed, House Bill No. 1778, entitled:

An Act to authorize the transfer of certain automobiles used in child welfare programs and purchased with Federal funds to certain counties.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1572.

An Act relating to coal mining well operations and the underground storage of gas except in storage reservoirs excavated in rock formations specifically for storage purposes and the safety of personnel and facilities employed therein prescribing the rights and duties of well operators before during and after the drilling of wells for

the production extraction or storage of any gas petroleum or other liquid regulating the undergound storage of gas under workable coal seams prescribing the rights and duties of owners and operators of coal mines in relation to wells and underground storage areas granting certain corporations a limited right of eminent domain to appropriate interests in real property for surface and subsurface operations in connection with the underground storage of gas creating the Oil and Gas Division of the Department of Mines and defining its personnel powers and duties providing for hearings and the procedures to be followed therein and imposing duties upon the courts and providing methods for the enforcement of the provisions of this act and imposing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, line 2, by inserting after the word "gas" the following: "except in storage reservoirs excavated in rock formations specifically for storage purposes";

Amend Article 1, page 2, line 4, by inserting after the word "Well-Drilling" the word "petroleum";

Amend the Bill, page 6, line 8, by inserting all of Section 103 as follows:

Section 103 Exclusions from effect of act nothing contained in this act shall apply to storage of gas or liquids in storage reservoirs excavated in rock formations specifically for storage purposes

Amend Article 11, page 11, line 18, by striking out after the word "of" the part-word "ay" and inserting in lieu thereof the word "any";

Amend Section 205, page 20, line 17, by inserting after the word "well' the following: "in an area underlain by a workable coal seam";

Amend Section 206, page 22, line 16, by striking out after the word "other" the words "suitable material" and inserting in lieu thereof the following: "equally nonporous material to a depth of at least twenty feet"; line 18, by inserting after the word "hole" the following: "a sufficient lapse of time shall be allowed after the introduction of the cement or other material for it to set properly before proceeding"; page 23, line 2, by striking out after the word "hole" the following: "and at such point there shall be placed another similar plug of cement shall be either filled or bridged and filled in the manner just described" and inserting in lieu thereof the following "shall be either filed or bridged and filled in the manner just described and at such point there shall be placed another similar plug of cement"

Page 23, line 8, by striking out after the word "other" the words "suitable material" and inserting in lieu thereof the following: equally nonporous material to a depth of at least twenty feet"; line 16, by inserting after the word a" the following: Bridge shall be anchored approximately thirty feet below the water string of casing and there shall be placed another similar plug of cement or other equally nonporous material to a depth of at least ten feet which will completely seal the hole after which said casing may be drawn a"

Page 27, line 9, by striking out after the word "other" the words "suitable material" and inserting in lieu thereof the following: "equally nonporous material to a depth of at least twenty feet"; line 12, by inserting after the word "hole" the following: "sufficient lapse of time shall be allowed after the introduction of the cement or other material for it to set properly before proceeding"; line 19, by inserting after the word "shot" the following: "from a point immediately above the above mentioned plug the well shall be plugged in accordance with subsection (A) (B) or (C) of this section whichever is applicable";

Page 28, line 13, by inserting after the word "section" the following: "207 from a point immediately above the top of said liner the well shall be plugged in accordance with subsection (a) (b) or (c) of the section whichever is applicable";

Amend Article 111, page 34, line 17, by striking out after the word "subsequently" the word "charged" and inserting in lieu thereof the word "changed";

Amend Section 304, page 41, line 7, by striking out after the word "of' the word "sections" and inserting in lieu thereof the following: "Section 301";

Amending Section 306, page 56, line 9, by striking out after the word "and" the word "augar" and inserting in lieu thereof the word "auger";

Amend Article V, Section 501, page 63, line 11, by striking out after the word "in" the following: "or other writing required to be filed with it pursuant to the provisions a safe place for public inspection any map data report well log notice" and inserting in lieu thereof the following: "a safe place for public inspection any map data report well log notice or other writing required to be filed with it pursuant to the provisions"

Page 73, line 6, by striking out after the word "common" the word "please" and inserting in lieu thereof the word "pleas".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. WILLIAMS. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	**Gaffney,**	**Magee,**	**Royer,**
Agnew,	Garlock,	Mahan,	Rubin,
Amarando,	**Gelfand,**	Markley,	**Rudisill,**
Anderson, M. S.,	George,	**Maxwell,**	**Sarraf,**
Anderson, S. A.,	**Gibb,**	**McCann,**	**Scarcelli,**
Ashton,	Gibson,	McCormack,	Schuster,
Auker,	Goldstein,	**McGee,**	**Sherman,**
Banker,	Gramlich,	**McInroy,**	**Sigman,**
Barnatovich,	Greenwood,	**McKeever,**	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	**Guthrie,**	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Stank,
Boles,	Hamilton, W. H.,	Metz,	Stebbins,
Bonner,	Hass,	Mihm,	Steckel,
Boory,	Haudenshield,	Mikula,	Stephens,
Bower,	Heavey,	Miller,	Stevenson,
Branca,	**Helm,**	Mills,	Stone,
Breisch,	Henzel,	Monroe,	Stoner,
Brennan, A. P.,	Hewitt,	**Moody,**	Strausser,
Brennan, J. J.,	Hocker,	Moran,	Stroup,
Brenninger,	Holt,	Moscrip,	Swartz,
Breth,	Horst,	Muldowney,	Taylor,
Brown,	**Houk,**	**Mullen,**	Thomas,
Bucchin,	**Isaacs,**	Munley,	Thompson,
Capano,	**Jenkins,**	Murphy,	**Toll,**
Cianfrani,	Johnson,	Murray, H. P.,	Tompkins,
Cioffi,	Jones, G. E.,	Murray, J. J.,	Toomey,
Cochran,	Jones, T. H. W.,	Murray, P. G.,	Varallo,
Comer,	**Jump,**	**Musto,**	Varner,
Connelly,	Kamyk,	Needham,	Vaughan,
Curwood,	Keller,	**Ogilvie,**	Verona,
Davis,	Kent,	Olsen,	Wall,
Donahue,	Knecht,	O'Neil,	Wallace,
Donaldson,	Kolankiewicz,	Pacchioli,	Walsh,
Dougherty,	Kooker,	Parry,	Wargo,
Down,	Kornick,	Pashley,	Weidner,
Ehrgood,	Kratz,	Paulhamus,	Welsh,
Eilberg,	Kubacki	Petrosky,	Wescott,
Erb,	Lafore,	Polaski,	Wheeler,
Eshleman,	Lawyer,	Polen,	Whitenight,
Ewing,	Leiby,	Pomeroy,	Willaredt,
Farabaugh,	Leisey,	Price,	Williams,
Filo,	Leonard,	Pursley,	Wood,
Flint,	Leven,	Readinger,	Worley,
Floyd,	Light,	Reibman,	Yetter,
Flynn,	Limper,	Reidenbach,	Yetzer,
Foster,	Lippincott,	Renwick,	Young,
Frank,	Lopresti,	Rosen,	Ziegler,
Frascella,	Lovett,	Rovansek,	Andrews,
Frost,	**Lutty,**	Rigby,	Speaker

NAYS—0

NOT VOTING—10

Bullen,	Kehler,	Naugle,	Waterhouse,
Cooper,	Kline,	Pettigrew,	Wilt,
Fineman,	Kromer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduded, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bil No. 834 entitled:

An Act amending the act of May 9 1949 (P. L. 927) entitled "An act fixing and regulating the fees commissions mileage and other costs chargeable by the sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local" changing fees commissions mileage and other costs chargeable by sheriffs.

Mr. READINGER. Mr. Speaker, I move that the House recede from its non-concurrence and concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were as follows:

YEAS—199

Adam,	Gaffney,	Magee,	Royer,
Agnew,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Auker,	Goldstein,	McGee,	Sherman,
Banker,	Gramlich,	McInroy,	Sigman,
Barnatovich,	Guss,	McKeever,	Smith, C. C.,
Bazin,	Greenwood,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Stank,
Boles,	Hamilton, W. H.,	Metz,	Stebbins,
Bonner,	Hass,	Mihm,	Steckel,
Boory,	Haudenshield,	Mikula,	Stephens,
Bower,	Heavey,	Miller,	Stevenson,
Branca,	Helm,	Mills,	Stone,
Breisch,	Henzel,	Monroe,	Stoner,
Brennan, A. P.,	Hewitt,	Moody,	Strausser,
Brennan, J. J.,	Hocker,	Moran,	Stroup,
Brenninger,	Holt,	Moscrip,	Swartz,
Breth,	Horst,	Muldowney,	Taylor,
Brown,	Houk,	Mullen,	Thomas,
Bucchin,	Isaacs,	Munley,	Thompson,
Capano,	Jenkins,	Murphy,	Toll,
Cianfrani,	Johnson,	Murray, H. P.,	Tompkins,
Cioffi,	Jones, G. E.,	Murray, P. G.,	Toomey,
Cochran,	Jones, T. H. W.,	Murray, J. J.,	Varallo,
Comer,	Jump,	Musto,	Varner,
Connelly,	Kamyk,	Needham,	Vaughan,
Curwood,	Keller,	Ogilvie,	Verona,
Davis,	Kent,	Olsen,	Wall,
Donahue,	Knecht,	O'Neil,	Wallace,
Donaldson,	Kolankiewicz,	Pacchioli,	Walsh,
Dougherty,	Kooker,	Parry,	Wargo,
Down,	Kornick,	Paulhamus,	Weidner,
Ehrgood,	Kratz,	Pashley,	Welsh,
Eilberg,	Kubacki	Petrosky,	Wescott,
Erb,	Lafore,	Polaski,	Wheeler,
Eshleman,	Lawyer,	Polen,	Whitenight,
Ewing,	Leiby,	Pomeroy,	Willaredt,
Farabaugh,	Leisey,	Price,	Williams,
Filo,	Leonard,	Pursley,	Wood,
Flint,	Leven,	Readinger,	Worley,
Floyd,	Light,	Reibman,	Yetter,
Flynn,	Limper,	Reidenbach,	Yetzer,
Foster,	Lippincott,	Renwick,	Young,
Frank,	Lopresti,	Rigby,	Ziegler,
Frascella,	Lovett,	Rosen,	Andrews,
Frost,	Lutty,	Rovansek,	Speaker

NAYS—0

NOT VOTING—10

Bullen,	Kehler,	Naugle,	Waterhouse,
Cooper,	Kline,	Pettigrew,	Wilt,
Fineman,	Kromer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

APPROPRIATION BILL ON FINAL PASSAGE

Mr. CHARLES C. SMITH. Mr. Speaker, I call up on page 7 of today's calendar, appropriation bill on final passage, Senate Bill No. 785.

Agreeably to order

The House proceeded to the consideration on final passage of Senate Bill No. 785, as follows:

An Act to provide for the ordinary expenses of The Department of Public Instruction for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five and making appropriations to the Department of Public Instruction for reimbursements to school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred twenty-six million eight hundred forty thousand dollars ($426,840,000) or as much thereof as is necessary is appropriated to the Department of Public Instruction for reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for nonresident high school tuition and any other nonresident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he deems it necessary to make such advanced payments to enable school districts to keep their public schools open

Section 2 an additional sum of thirty-one million dollars ($31,000,000) or as much thereof as is necessary is appropriated to the Department of Public Instruction to be used for reimburing school districts upon salaries of school teachers if and when Legislation is enacted in the 1955 session of the General Assembly increasing the annual compensation of school teachers.

Section 3 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the general fund to the Department of Public Instruction for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred fifty-five and for the payment of the bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five

For the payment of the salary of the Superintendent of Public Instruction and for the payment of salaries

wages or other compensation of deputy superintendents and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of one million six hundred forty thousand dollars ($1,640,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment and for the purchase of books maps charts manuscripts records exchanges pamphlets illustrations lantern slides periodicals parliamentary papers legal books and periodicals subscriptions to newspapers necessary for the proper conduct of the work of the department with respect to the State Library the sum of five hundred three thousand dollars ($503,000)

For the payment of salaries wages or other compensation of a deputy member and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to professional education and licensure and the professional examining boards and advisory committees within the department the sum of one million one hundred sixteen thousand dollars ($1,116,000)

Provided that no part of this appropriation shall be expended for any purpose other than the work of the department with respect to pre-professional professional education and licensure the professional examining boards and advisory committees within the department

For the payment of salaries wages or other compensation of members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania state board of censors the sum of two hundred thirty-five thousand dollars ($235,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in advising and coordinating the work of the Pennsylvania federation of junior historians in the secondary schools of the Commonwealth the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages and other compensation of members and other employes for the payment of general expenses supplies printing equipment and the purchase of tests for the proper conduct of the work in the Department of Public Instruction with respect to the conduct of examinations for the evaluation of credentials issuance of preliminary education certificates and the determination evaluation and issuances of equivalent high school credits certificates or diplomas the sum of one hundred three thousand dollars ($103,000)

For the payment of salaries wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in public schools the sum of fifty-four thousand dollars ($54,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the acquisition of federal surplus property and the distribution of such property to schools and other agencies authorized to receive it the sum of one hundred thousand dollars ($100,000)

And be it provided that moneys collected from schools and agencies to whom such property shall have been distributed covering cost of acquisition and handling shall be paid into the general fund and credited to this appropriation and available for the purposes for which this appropriation has been made

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department and the state board for vocational education in licensing and regulating private schools private trade schools business schools and correspondence schools and classes the sum of one hundred fifty-eight thousand dollars ($158,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing large-type books for partially sighted children in the public schools the sum of thirty thousand dollars ($30,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing farm and home safety education through the schools and farm and home organizations in the Commonwealth the sum of twenty-nine thousand dollars ($29,000)

For the payment of the salaries wages general expenses supplies printing and equipment necessary for the purpose of revising the elementary secondary and vocational curricula in the public schools of the Commonwealth in accordance with the provisions of act 551 approved July seventh one thousand nine hundred forty-seven (P. L. 1427) the sum of one hundred thousand dollars ($100,000)

All moneys collected from the sale of any publications issued pursuant to said act shall be paid into the general fund and credited to the foregoing appropriation and are hereby appropriated for the same purposes in addition to the amount hereinbefore appropriated

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in accrediting facilities for the training of veterans the sum of eighty-six thousand dollars ($86,000)

Provided that fifty-eight thousand dollars ($58,000) of the appropriation made by this paragraph shall be used by the department as working capital only and shall lapse at the end of the biennium in the full amount in addition all moneys collected from the federal government shall be credited to the appropriation made by this paragraph

For the payment of salaries wages printing supplies and general expenses necessary to carry out the provisions of the act aproved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" the sum of twenty-five thousand seven hundred dollars ($25,700)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the public school employes retirement board the sum of six hundred twenty thousand dollars ($620,000)

For the payment of salaries wages postage printing and other necessary expenses incurred in the operation of speech and hearing rehabilitation centers as provided by law the sum of three hundred five thousand dollars ($305,000)

For the payment of expenses incurred in maintaining administering supervising and operating day care training centers for mentally handicapped children as provided by law the sum of two hundred thousand dollars ($200,000)

For the payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture and furnishings for the expenses of the boards of trustees and incidental expenses of the board of trustees and incidental expenses for the payment to fire companies of costs of fighting fires upon approval of the institution and the department and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the state teachers colleges as may be authorized and approved by the Superintendent of Public Instruction the sum of fifteen million five hundred thousand dollars ($15,500,000) and in addition to said amount all income and all moneys collected at the various state teachers colleges and paid into the general fund of the State Treasury under existing laws are hereby appropriated out of the general fund to the several state teachers colleges for the same purpose each college to receive from such appropriation the exact amount which was collected at said college during the said fiscal years

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equip-

ment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and livestock for the payment of fire companies of costs of fighting fires upon aproval of the institution and the department for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the superintendent of public instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania 410,000
Scotland School for Veterans' Children at Scotland Pennsylvania 1,395,000
Thaddeus Stevens Trade Schol at Lancaster Pennsylvania 845,000

and in addition to said amount all income and all moneys collected at the Thaddeus Stevens Trade School shall be paid into the general fund and shall be credited to the appropriation to the Thaddeus Stevens Trade School made by this paragraph

For the payment of salaries of the county superintendents and assistant county superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of three million four hundred one thousand five hundred dollars ($3,401,500)

For the payment of expenses of county superintendents and assistant county superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of two hundred ninety-seven thousand dollars ($297,000)

For the payment of expenses of members of county boards of school directors and the fees of their attorneys the sum of fifty-two thousand eight hundred dollars ($52,800)

For reimbursements to school districts for transportation of school children as required by law the sum of twenty-nine million seven hundred sixty-one thousand dollars ($29,761,000)

For aid to school districts that now maintain or shall cause to be established and maintained as part of the public school system vocational schools or departments schools for agricultural education industrial training home economics distributive occupations public service occupations and other vocational and practical education for the salaries wages and expenses of employes for general expenses supplies printing and equipment of vocational divisions and the payment to the Department of Property and Supplies of mileage for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the state council of education may designate and under such regulations as the state council of education may prescribe as provided by law the sum of three million three hundred thousand dollars ($3,300,000)

And be it provided that as much of this appropriation as can be made available may be expended with the governor's approval in paying the cost of vocational training of qualified public assistance recipients or other unemployed to take definite employment which may be contingent upon such training

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in carrying out the school lunch program as provided by law the sum of two hundred five thousand dollars ($205,000)

For the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the superintendent of schools of Warren county to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on state lands as required by law the sum of six hundred eighty-three thousand dollars ($683,000)

For special education including the payment of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction) of Pennsylvania pupils enrolled with the approval of the Department of Public Instruction in schools or institutions for the blind or for the deaf or cerebral palsied under the supervision of or approved by the department in accordance with law and for readers helpers guides aids and appliances of such children in public schools also for cost of tuition and maintenance of mothers and their blind babies in schools approved by the Department of Public Instruction the sum of four million four hundred twenty-two thousand dollars ($4,422,000)

For the payment of salaries wages general expenses printing supplies equipment fuel and incidental expenses and for all expenses of maintenance and operation for the proper conduct of the public service institute including the firemen's training school at Lewistown the sum of two hundred ninety thousand dollars ($290,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary to make a survey of public school plant facilities in the Commonwealth the sum of thirteen thousand nine hundred dollars ($13,900) in addition all moneys received from the federal government under Public Law 815 of the 81st Congress for this purpose shall be credited to the appropriation made by this paragraph

For the payment into the school employes' retirement fund to the credit of the contingent reserve account of the school employes' retirement fund as required by law the sum of thirty-two million four hundred sixty-five thousand dollars ($32,465,000)

For the payment into the school employes' retirement fund to the credit of the state annuity reserve account number two of the school employes' retirement fund as required by law the sum of eight million fourteen thousand four hundred ninety-five dollars ($8,014,495)

For the payment of compensation to former teachers principals supervising principals or superintendents who agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interest as provided by law the sum of one hundred eighty-five thousand dollars ($185,000)

For the payment of increased retirement allowances to employes on retirement as of September first one thousand nine hundred forty-nine the sum of two million one hundred thousand dollars ($2,100,000)

Section 4 No appropriation made by this act shall be available unless and until the Department of Public Instruction shall have complied with sections six hundred four six hundred five and six hundred six of the administrative code

Section 5 The term "employes" as used in this act shall include all directors superintendents Bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants

Section 6 The term "general expenses" and "maintenance" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment buildings and facilities rent of real estate and equipment premiums on workmen's compensation insurance premium on policies of liability insurance cover-

ing the operation of permanently assigned automobiles premiums on surety bonds the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the purchasing fund

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Gaffney,	Magee,	Royer,
Agnew,	Garlock,	Mahan,	Rubin,
Amarando,	Gelfand,	Markley,	Rudisill,
Anderson, M. S.,	George,	Maxwell,	Sarraf,
Anderson, S. A.,	Gibb,	McCann,	Scarcelli,
Ashton,	Gibson,	McCormack,	Schuster,
Auker,	Goldstein,	McGee,	Sherman,
Banker,	Gramlich,	McInroy,	Sigman,
Barnatovich,	Greenwood,	McKeever,	Smith, C. C.,
Bazin,	Guss,	McLaughlin,	Smith, Wm. B.,
Bell,	Guthrie,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Meholchick,	Stank,
Boles,	Hamilton, W. H.,	Metz,	Stebbins,
Bonner,	Hass,	Mihm,	Steckel,
Boory,	Haudenshield,	Mikula,	Stephens,
Bower,	Heavey,	Miller,	Stevenson,
Branca,	Helm,	Mills,	Stone,
Breisch,	Henzel,	Monroe,	Stoner,
Brennan, A. P.,	Hewitt,	Moscrip,	Strausser,
Brennan, J. J.,	Hocker,	Moody,	Stroup,
Brenninger,	Holt,	Moran,	Swartz,
Breth,	Horst,	Muldowney,	Taylor,
Brown,	Houk,	Mullen,	Thomas,
Bucchin,	Isaacs,	Munley,	Thompson,
Capano,	Jenkins,	Murphy,	Toll,
Cianfrani,	Johnson,	Murray, H. P.,	Tompkins,
Cioffi,	Jones, G. E.,	Murray, J. J.,	Toomey,
Cochran,	Jones, T. H. W.,	Murray, P. G.,	Varallo,
Comer,	Jump,	Musto,	Varner,
Connelly,	Kamyk,	Needham,	Vaughan,
Curwood,	Keller,	Ogilvie,	Verona,
Davis,	Kent,	Olsen,	Wall,
Donahue,	Knecht,	O'Neil,	Wallace,
Donaldson,	Kolankiewicz,	Pacchioli,	Walsh,
Dougherty,	Kooker,	Parry,	Wargo,
Down,	Kornick,	Pashley,	Weidner,
Ehrgood,	Kratz,	Paulhamus,	Welsh,
Eilberg,	Kubacki	Petrosky,	Wescott,
Erb,	Lafore,	Polaski,	Wheeler,
Eshleman,	Lawyer,	Polen,	Whitenight,
Ewing,	Leiby,	Pomeroy,	Willaredt,
Farabaugh,	Leisey,	Price,	Williams,
Filo,	Leonard,	Pursley,	Wood,
Flint,	Leven,	Readinger,	Worley,
Floyd,	Limper,	Reibman,	Yetter,
Flynn,	Light,	Renwick,	Yetzer,
Foster,	Lippincott,	Reidenbach,	Young,
Frank,	Lopresti,	Rigby,	Ziegler,
Frascella,	Lovett,	Rosen,	Andrews,
Frost,	Lutty,	Rovansek,	Speaker

NAYS—0

NOT VOTING—10

Bullen,	Kehler,	Naugle,	Waterhouse,
Cooper,	Kline,	Pettigrew,	Wilt,
Fineman,	Kromer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to take just a moment of the time of the Members to inform them that according to present plans we are going to meet tomorrow at 12 o'clock, and we are going to meet Wednesday morning at 12:01 a. m. for the purpose of considering legislation.

We have caused letters to be sent out to every Member sometime ago requesting you to let the Chief Clerk's office know if you needed a room for tonight or tomorrow night. I beg your pardon, we did not say anything about tomorrow night, we wanted to make arrangements to make sure you had a bed to sleep in tonight. But we are now advising you that we will have a session at 12:01 a. m. on Wednesday of this week, and we are asking that all Members be present as it will be a very important session.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Snider, Chairman, Room 331, Tuesday, November 22, at 10:00 a.m.

CITIES-COUNTIES FIRST CLASS, Mr. Kolankiewicz, Chairman, Room 521, Tuesday, November 22, at 11:00 a.m.

CITIES-THIRD CLASS, Mr. Bucchin, Chairman, Room 331, Tuesday, November 22, at 10:45 a.m.

EDUCATION, Mr. McCann, Chairman, Room 324, Tuesday, November 22, at 11:00 a.m.

HIGHWAYS, Mr. Petrosky, Chairman, Room 329, Tuesday, November 22, at 11:45 a.m.

JUDICIARY, Mr. Lopresti, Chairman, Room 145, Tuesday, November 22, at 10:00 a.m.

LABOR RELATIONS, Mr. Moran, Chairman, Room 323, Tuesday, November 22, at 10:30 a.m.

MOTOR VEHICLES, Mr. Amarando, Chairman, Room 522, Tuesday, November 22, at 10:00 a.m.

PUBLIC UTILITIES, Mr. Mills, Chairman, Room 329, Tuesday, November 22, at 11:45 a.m.

STATE GOVERNMENT, Mr. Polaski, Chairman, Room 324, Tuesday, November 22, at 11:30 a.m.

TOWNSHIPS, Mr. Musto, Chairman, Room 522, Tuesday, November 22, at 9:00 a.m.

ADJOURNMENT

Mr. DOWN. Mr. Speaker, I move that this House do now adjourn until Tuesday, November 22, 1955 at 12:00 o'clock noon.

The motion was agreed to, and (at 10:41 p.m. e. s. t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., TUESDAY, NOVEMBER 22, 1955. No. 107.

SENATE

TUESDAY, November 22, 1955

The Senate met at 1:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair

PRAYER

The Chaplain, Rev. WILLIAM H. KELLY, Pastor of St. Paul's Evangelical United Brethren Church, Lewisburg, offered the following prayer:

Let us pray.

Almighty God, our Father, before Whom we humbly bow, we recognize Thy greatness and omnipotence. We realize our weaknesses and failures. We come to ask Thy divine guidance this day, knowing that of ourselves we fail to be and to do. May we lift grateful hearts to Thee for the manifold blessings Thou dost share with us, the children of men.

May Thy rich and continuing presence continue upon the present President of the United States of America. God grant that the improvement of his health continue until complete recovery.

Guide and direct the affairs of the State this day, and in particular the business of the Senate. May all of us ever sense Thy interest in us. May Thy will ever be done and may Thy divine purpose be carried out above party and personality for the betterment of the Commonwealth of Pennsylvania.

Teach us Thy eternal truth that we may ever walk in the pathways of righteousness, justice and brotherhood.

May all things redound to Thy name's honor and glory. Through Jesus Christ, our Lord, Amen.

JOURNAL APPROVED

The PRESDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. WADE, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. MAHANY asked and obtained leave of absence for Mr. PECHAN, due to illness.

NOMINATION BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communcation in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 22, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward J. Kessler, R. D. 1, Mohnton, Berks County, for appointment as Justice of the Peace in and for the Township of Robeson, Berks County, to serve until the first Monday of January 1956, vice Wililam M. Jefferson, deceased.

GEORGE M. LEADER.

HOUSE MESSAGES

HOUSE RECEDES FROM NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 834

The Clerk of the House of Representatives being introduced, informed the Senate that the House has receded from its non-concurrence in the amendments made by the Senate to House Bill No. 834, entitled:

An Act amending the act of May 9, 1949 (P. L. 927), entitled "An act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, for their official acts and the services of their deputies, watchmen, appraisers, and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the county, including the compensation of special deputies, providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general special or local," changing fees, commissions, mileage and other costs chargeable by sheriffs.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1572

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1572, entitled:

An Act relating to coal mining, well operations and the underground storage of gas and the safety of personnel and facilities employed therein; prescribing the rights and duties of well operators, before, during, and after the drilling of wells for the production, extraction or storage of any gas, petroleum or other liquid; regulating the underground storage of gas under workable coal seams; prescribing the rights and duties of owners and operators of coal mines in relation to wells and underground storage areas; granting certain corporations a limited right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas; creating the Oil and Gas Division of the Department of Mines and defining its personnel powers and duties; providing for hearings and the procedures to be followed therein and imposing duties upon the courts and providing methods for the enforcement of the provisions of this act and imposing penalties.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 834, entitled:

An Act amending the act of May 9, 1949 (P. L. 927), entitled "An act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, for their official acts and the services of their deputies, watchmen, appraisers, and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor ;requiring certain payments by the county, including the compensation of special deputies, providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general special or local," changing fees, commissions, mileage and other costs chargeable by sheriffs.

House Bill No. 1572, entitled:

An Act relating to coal mining, well operations and the underground storage of gas and the safety of personnel and facilities employed therein; prescribing the rights and duties of well operators, before, during, and after the drilling of wells for the production, extraction or storage of any gas, petroleum or other liquid; regulating the underground storage of gas under workable coal seams; prescribing the rights and duties of owners and operators of coal mines in relation to wells and underground storage areas; granting certain corporations a limited right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas; creating the Oil and Gas Division of the Department of Mines and defining its personnel powers and duties; providing for hearings and the procedures to be followed therein and imposing duties upon the courts and providing methods for the enforcement of the provisions of this act and imposing penalties.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Potter, Mr. Berger, to the rostrum to preside.

The PRESIDING OFFICER (James S. Berger) in the Chair.

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Judiciary Genera reported as committed Senate Bill No. 480, entitled:

An Act amending the act of May 25, 1951, (P. L. 415 entitled "An act relating to habeas corpus; . . . . extend ing jurisdiction as to habeas corpus to courts of quarte sessions.

He also, from the Committee on Judiciary General, re ported as committed Senate Bill No. 582, entitled:

An Act amending the act of August 19, 1953, (P. L 1104), entitled "An act relating to the acknowledgment o instrument, the attestation of documents, . . .," extendin affidavit provisions to include the spouse of a membe of the armed forces.

He also, from the Committee on Judiciary General, re ported as committed House Bill No. 662, entitled:

An Act amending the act of May 5, 1933 (P. L. 289 entitled "Nonprofit Corporation Law," empowering non profit corporations to transfer their property and asse in trust.

He also, from the Committee on Judiciary General, re ported as committed Senate Bill No. 686, entitled:

An Act amending the act of May 7, 1935 (P. L. 130 entitled "An act providing for the service of process i civil suits on non-resident operators or nonreside owners, or a resident who becomes a nonresident and con ceals his whereabouts of aircraft operated within o above the Commonwealth of Pennsylvania; . . .," mak ing the consent deemed to have been given by a nonresi dent operator or owner of an aircraft involved in an acci dent or collision within this Commonwealth for appoint ment of the Secretary of the Commonwealth as his ager for service of process irrevocable and binding upon h personal representatives; providing for service of proces when the nonresident operator or owner has died prio to the commencement of an action, and making change to conform with existing laws.

He also, from the Committee on Judiciary General, re ported as committed Senate Bill No. 687, entitled:

An Act amending the act of May 14, 1929 (P. L. 1721 entitled "An act providing for the service of process i civil suits on nonresident operators, or nonresident owner of motor vehicles operated within the Commonwealth o Pennsylvania; . . .," making the consent deemed to hav been given by a nonresident operator or owner of motor vehicle involved in an accident or collision withi this Commonwealth for appointment of the Secretary o the Commonwealth as his agent for service of proces irrevocable and binding upon his personal representative providing for service of process when the nonreside operator or owner has died prior to the commencemer of an action, and making changes to conform with exist ing law.

He also, from the Committee on Judiciary General, re ported as amended Senate Bill No. 688, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828 entitled "Fiduciaries Investment Act of 1949" by makin further provision respecting the qualification of commo stock for investment where there is a predecessor or con stituent corporation and by changing the requirements o an interest bearing deposit.

He also, from the Committee on Judiciary General, re ported as amended Senate Bill No. 689, entitled:

An Act amending the act of April 24, 1947 (P. L. 89 entitled "Wills Act of 1947," revising and changing pro visions relating to foreign wills divorce testamentary con

veyances affecting right of spouse taking against a will rights of adopted persons and illegitimates in lapsed and void devises and legacies and appointment of guardian of property passing to a minor upon testator's death whether or not passing under the will.

He also, from the Committee on Judiciary General, reported as amended Senate Bill No. 690, entitled:

An Act amending the act of April 24, 1947 (P. L. 80) entitled "Intestate Act of 1947," and repealing parts thereof limiting right of a spouse on partial intestacy and in selection of allowance and revising procedure for setting aside spouses' allowance establishing title to real estate when spouses' claims entire estate and distribution to the Commonwealth as statutory heir.

He also, from the Committee on Judiciary General, reported as amended Senate Bill No. 691, entitled:

An Act amending the act of April 24, 1947 (P. L. 100) entitled "Estates Act of 1947" revising and changing provisions relating to power of court to terminate trusts heretofore created release or disclaimer by beneficiary of spendthrift trust income accumulations conveyances to defeat marital rights and elections against such conveyances, the conveyor's will, and the procedure therefor.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 692, entitled:

An Act amending the act of June 28, 1951 (P. L. 638), entitled "Register of Wills Act of 1951," changing the procedure on probate of wills probated outside the Commonwealth.

He also, from the Committee on Judiciary General, reported as amended Senate Bill No. 693, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951," conferring exclusive jurisdiction on orphans' courts over the administration and distribution of incompetents' estates and on the orphans' court of Philadelphia County over inter vivos trusts and revising the procedure on and effect of jury trials and the availability of jurors.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 694, entitled:

An Act repealing the act of June 7, 1917 (P. L. 337), entitled "Orphans' Court Partition Act of 1917," with exceptions.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 695, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," further providing for the power of bank and trust companies and trust companies to establish and maintain mortgage investment funds.

He also, from the Committee on Judiciary General, reported as amended Senate Bill No. 696, entitled:

An Act relating to the administration and distribution of incompetents' estates both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases; the appointment, bond, removal and discharge of guardians of such estates, their powers, duties and liabilities, the rights of persons dealing with such guardians, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning the determination of incompetency and the powers, duties and liabilities of foreign guardians; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and the common pleas court relating to incompetents' estates.

He also, from the Committee on Judiciary General, reported as amended Senate Bill No. 697, entitled:

An Act amending the act of April 18, 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" revising and changing provisions relating to first complete advertisement of the grant of letters payment of accrued pensions without letters amount of estates distributed on petition family exemptions place for grant of letters inventory and appraisement and objections thereto claims against decedents against personal prepresentatives and against decedents' property awards to nonresident beneficiaries presumption of release or extinguishment amount of minors' estates administered without guardian and exercise of powers by foreign fiduciaries.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 698, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended "Banking Code," further providing for authorized investments of savings banks.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 852, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," permitting of bonded warehouse licenses issued by the Pennsylvania Liquor Control Board to receive in bond certain liquor and alcohol for storage in bond in this Commonwealth, regulating the release of such liquor and alcohol for delivery.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 985, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" further prescribing the nature and kind of investments which may be made and retained by fiduciaries.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 986, entitled:

An Act relating to chattel mortgages executed and filed prior to July 1 1954 regulating the assignment release satisfaction and extension of the lien of mortgages and the filing indexing and docketing thereof in prothonotaries offices prescribing methods of foreclosure defining defaults and violations prescribing prothonotaries' fees and fixing penalties.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1259, entitled:

An Act authorizing the commitment to the Department of Public Welfare in any city of the first class persons convicted of crimes and sentences by courts situate within such city to a city or county penal institution where such Department has established a correctional diagnotic and classification service and authorizing the transfer of prisoners between such institutions by the Department.

He also, from the Committee on Highways, reported as amended House Bill No. 8, entitled:

An Act authorizing and directing the State Highway and Bridge Authority with the approval of the Governor to erect and maintain a toll bridge over the Ohio River in Beaver County between a point in the general area of Monaca-Shippingport to the general area of Beaver-Midland on the opposite side of the Ohio River and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages.

He also, from the Committee on Highways, reported as amended House Bill No. 445, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," further regulating passing school buses and eliminating school bus stop signs.

He also, from the Committee on Highways, reported as amended House Bill No. 756, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code," changing the requirements regarding use of different types of danger and caution signals.

BILL RE-REFERRED

Mr. FLEMING, from the Committee on Corporations, returned to the Senate, Senate Bill No. 865, entitled:

An Act to amend the act, approved the twenty-ninth day of July, one thousand nine hundred fifty-three (P. L. 1050), entitled "An act providing for the acquisition, construction, improvement, operation and maintenance of tunnels for certain highway purposes with the Commonwealth; . . ." authorizing the use of facsimile signatures and facsimile seal on bonds on the commission; authorizing preliminary or interim financing through issuance of notes or other obligations of the commission payable solely from revenues of the commission, including tolls, or from such funds as may be available to the commission for such purpose; providing for the securing of such notes or obligations, constituting the same legal investments in certain instances and exempting the same from taxation; and authorizing the issuance of tunnel revenue refunding bonds.

Which was re-referred to the Committee on Highways.

REPORTS FROM COMMITTEE

Mr. FLEMING, from the Committee on Local Government, re-reported as committed Senate Bill No. 38, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August twentieth one thousand nine hundred and fifty-three (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) and making appropriation" and for the acquisition and construction of certain sewage treatment plants

He also, from the Committee on Local Government, reported as amended House Bill No. 114, entitled:

An Act to repeal Section 518 of and to add a new section 518.1 to the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "The General County Assessment Law" by eliminating all the provisions of the act which regulate the payment of the taxes pending appeals from assessments.

BILL RE-REFERRED

Mr. FLEMING, from the Committee on Local Government, returned to the Senate, House Bill No. 286, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "Vehicle Code," establishing special speed restrictions for business and residence districts in cities of the second class.

Which was re-referred to the Committee on Highways.

REPORTS FROM COMMITTEES

Mr. FLEMING, from the Committee on Local Government, reported as committed House Bill No. 748, entitled

An Act amending the act of June 17 1913 (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and records in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by making said act applicable to all taxes heretofore and hereafter levied and remaining uncollected.

He also, from the Committee on Local Government reported as committed House Bill No. 749, entitled:

An Act amending the act of June 17 1913 (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes . . ." by allowing appeals in certain cases to be taken to the County Court of Allegheny County.

He also, from the Committee on Local Government reported as amended Senate Bill No. 767, entitled:

An Act amending the act of August 9 1955 (Act No 130) entitled "The County Code," changing technical provisions with respect to plans required to be submitted to the County Planning Commission.

He also, from the Committee on Local Government reported as committed Senate Bill No. 828, entitled:

An Act requiring owners and lessees of land on which there are abandoned excavations to fill in or fence the same to prevent persons falling therein; prescribing penalties; imposing duties on cities, boroughs, towns and townships.

He also, from the Committee on Local Government reported as amended Senate Bill No. 835, entitled:

An Act amending the act of August 9 1955 (Act No 130) entitled "The County Code" authorizing the appointment of solicitors by clerks of the court of quarter sessions and over and terminer in third and fourth class counties and prescribing their duties.

He also, from the Committee on Local Government reported as committed House Bill No. 1212, entitled:

An Act aemnding the act of May 4, 1927 (P. L. 519) entitled "The Borough Code," authorizing the burgess of a borough to request that matters upon which the council has cast a tie or split vote be tabled until a special session of the council and to cast the deciding vote if necessary at that time.

He also, from the Committee on Local Government reported as amended House Bill No. 1361, entitled:

An Act authorizing the creation of regional planning commissions by counties cities boroughs towns or townships authorizing interstate participation in regional planning under certain conditions and conferring powers and imposing duties on regional planning commissions

He also, from the Committee on Local Government reported as committed House Bill No. 1227, entitled:

An Act regulating the recordings of all instruments in writing by the Commissioner of Records in the City of Philadelphia and repealing inconsistent laws.

He also, from the Committee on Local Government, eported as committed House Bill No. 1707, entitled:

An Act amending the act of June 21, 1929 (P. L. 626) ntitled "An act providing for and regulating the assess- ent and valuation of all subjects of taxation in counties f the second class; . . ." changing the time for valuation r assessment of new buildings.

He also, from the Committee on Local Government, eported as committed House Bill No. 1751, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) ntitled "An act relating to counties of the second class mending revising consolidating and changing the laws elating thereto" conferring additional powers and duties n the county planning commission.

He also, from the Committee on Local Government, eported as committed House Bill No. 1763, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) ntitled "An act concerning boroughs and revising amend- ng and consolidating the law relating to boroughs" ex- ending the time for payment on purchases of borough roperty.

BILL RE-REFERRED

Mr. KESSLER, from the Committee on Judiciary Gen- eral, returned to the Senate, Senate Bill No. 437, entitled:

An Act amending the act of June 14, 1935 (P. L. 341), ntitled, as amended, "An act to provide revenue by im- posing a State tax upon sales or gifts of cigarettes by dealers as herein defined; requiring persons engaged in he sale of cigarettes as wholesale and retail to secure ermits; prescribing the method and manner of collecting uch tax; making it unlawful to possess cigarettes upon vhich the tax has not been paid; conferring powers and mposing duties on the Department of Revenue, and per- ons, as herein defined, engaged in the sale of cigarettes t retail or wholesale; and providing penalties," requiring vholesale dealers to affix cigareette tax stamps and pro- ibiting retail dealers from accepting cigarettes which do ot bear tax stamps.

Which was re-referred to the Committee on Finance.

REPORTS FROM COMMITTEES

Mr. STEVENSON, from the Committee on Banking, re- orted as committed House Bill No. 1144, entitled:

An Act amending the act of May 15, 1933 (P. L. 796) ntitled, as amended, "An act providing for the preserva- ion of the records or photographic film reproductions or hotographic or photostatic copies thereof of banks bank nd trust companies trust companies savings banks private anks and national banking associations . . .;" providing urther for the preservation of records and their admis- ibility in evidence.

He also, from the Committee on Banking, reported as ommitted House Bill No. 1613, entitled:

An Act to further amend section 1 of the act approved he thirteenth day of June one thousand nine hundred even (P. L. 640) entitled "An act to provide revenue by evying a tax upon the shares of stock of companies in- orporated under the provisions of section twenty-nine of n act entitled 'An act to provide for the incorporation nd regulation of certain corporations'" . . . " by re- uiring every title insurance or trust company bank and rust company or trust company to compute and pay the State tax on shares of capital stock when making reports nd extending the date for making such reports.

He also, from the Committee on Banking, reported as ommitted House Bill No. 1722, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code," further regulating changes of places of business and establishment of branches

He also, from the Committee on Banking, reported as committed House Bill No. 1726, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code," further regulating regular meetings of boards of directors.

He also, from the Committee on Banking, reported as committed House Bill No. 1736, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code," removing the right of appeal to the Governor in cases of incorporation merger consolidation and conversion of building and loan associa- tions and Federal savings and loan associations and mak- ing the decision of the Department of Banking conclusive.

He also, from the Committee on Banking, reported as committed House Bill No. 1737, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code," regulating the estab- lishment of places of business and changes in the places of business and the establishment and maintenance of branches.

Mr. WAGNER, from the Committee on Education, re- ported as committed House Bill No. 914, entitled:

An Act reenacting and amending the act of May 23, 1949 (P. L. 1661) entitled as amended "An act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses" extending the act to include school districts of the first class A.

BILL RE-REFERRED

Mr. WAGNER, from the Committee on Military Affairs and Aeronautics, returned to the Senate, Senate Bill No. 485, entitled:

An Act making an appropriation to the Department of Military Affairs to be used by the Pennsylvania Aero- nautics Commission for the encouragement and develop- ment of aeronautics.

Which was re-referred to the Committee on Appropria- tions.

REPORTS FROM COMMITTEES

Mr. WAGNER, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 734, entitled:

An Act amending the act of June 14, 1935 (P. L. 341) entitled, as amended, "Cigarette Tax Act," exempting cigtrettes purchased for gratuitous issue to veteran patients in State and State-aided hospitals.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 735, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "The General County Law," requlating contribu- tions made by county commissioners towards funeral expenses of deceased service persons.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 737, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "The General County Law," providing rooms for use of the American Gold Star Mothers Inc. and for certain ladies' auxiliaries.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 738, entitled:

An Act amending the act of July 8, 1919, (P. L. 784 No. 321) entitled "An act authorizing counties cities and boroughs to furnish rooms in public buildings for meeting places for certain organizations," including certain Ladies' Auxiliaries and the American Gold Star Mothers Inc. within provisions of act.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 740, entitled:

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An Act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons," extending civil service preference to veterans of armed conflicts.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 755, entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class defining deceased service persons . . .," regulating contributions made by county commissioners towards funeral expenses of deceased service persons.

He also, from the Committee on Military Affairs and Aeronautics reported as committed House Bill No. 1620, entitled:

An Act amending the act of June 11, 1935 (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons . . .," extending the definition of deceased service persons" to include service personnel serving in an armed conflict.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 1621, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "The General County Law," authorizing collection of data concerning deceased veterans of armed conflicts authorizing the erection of mouments for and giving retirement benefits to veterans of armed conflicts.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 1622, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "The General County Law," extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 1623, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "The General County Law," extending retirement benefits to veterans of armed conflicts.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 1625, entitled:

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiri in certain cases preference in appointments to and r tention in public position or on public works for hono ably discharged persons who served in the military naval service during any war in which the United Stat engaged and in certain cases for the widows and wives such persons" extending civil service preference to ve erans of armed conflicts.

He also, from the Committee on Military Affairs an Aeronautics, reported as committed House Bill No. 162 entitled:

An Act amending the act of May 21, 1943 (P. L. 30 entitled as amended "An act providing for the admissi of children to and their education and maintenance and their discharge from the Scotland School for Ve erans' Children . . .," extending its provisions to chi dren of veterans of armed conflicts.

He also, from the Committee on Military Affairs an Aeronautics, reported as committed House Bill No. 169 entitled:

An Act amending the act of May 21 1943 (P. L. 322 entitled "An act providing for the issuance of certifie copies of death birth and marriage certificates and divor decrees by county officers free of charge to disabled wa veterans and their dependents in death and compensatio cases and prescribing penalties" extending its provisio to veterans of armed conflicts

He also, from the Committee on Military Affairs an Aeronautics, reported as committed House Bill No. 169 entitled:

An Act amending the act of May 31 1893 (P. L. 188 entitled "An act designating the days and half days to b observed as legal holidays and for the payment accept ance and protesting of bills notes drafts checks and othe negotiable paper on such days" changing the name Armistice Day to Veterans' Day

Mr. SILVERT, from the Committee on Judiciary Gen eral, reported as committed Senate Bill No. 410, entitled

An Act relating to the satisfaction of mortgages i cities and counties of the first class by the recording a satisfaction piece; prescribing forms therefor and fixin the fees thereof.

Mr. WHALLEY, from the Committee on Judiciary Gen eral, reported as amended House Bill No. 1294, entitled

An Act amending the act of June 24, 1939 (P. L. 872 entitled "The Penal Code," regulating the advertising an offering for sale of merchandise commodities and services

BILLS INTRODUCED AND REFERRED

Mr. MILLER read in his place and presented to th Chair Senate Bill No. 869, entitled:

A Joint Resolution proposing an amendment to articl nine, section one of the Constitution of the Common wealth of Pennsylvania, exempting aged persons and rea property owned by them from certain taxes.

Which was committed to the Committee on Constitu tional Changes and Federal Relations.

He also read in his place and presented to the Chai Senate Bill No. 870, entitled:

An Act amending the act of May 28, 1937 (P. L. 955) entitled as amended "Housing Authorities Law," author izing authorities to change names.

Which was committed to the Committee on State Gov ernment.

Messrs. KESSLER, DIEHM and BARR read in place and presented to the Chair Senate Bill No. 871, entitled:

A Act authorizing certain mutual insurance companies, other than life insurance companies, now in existence under the provisions of the act of May 17, 1921 (P. L. 382), its supplements and amendments, to reincorporate as mutual life insurance companies; outlining the requirements and procedure; and defining the rights of dissenting members.

Which was committed to the Committee on Insurance.

Messrs. KESSLER and WAGNER read in place and presented to the Chair Senate Bill No. 872, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" defining kindergarten teaching units and harmonizing the language of existing amendments.

Which was committed to the Committee on Education.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 873, enittled:

An Act making an appropriation to the Brandywine Battlefield Park Commisison for two years beginning June first, one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-five.

Which was committed to the Committee on Appropriations.

Messrs. VAN SANT and DERK read in place and presented to the Chair Senate Bill No. 874, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for issuance of special registration plates to members of the emergency firemen; requiring the secretary to furnish to sheriffs lists of special registrations, and requiring sheriffs to maintain these lists.

Which was committed to the Committee on Highways.

They also read in place and presented to the Chair Senate Bill No. 875, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for issuance of special registration plates to members of the emergency police; requiring the secretary to furnish to sheriffs lists of special registrations, and requiring sheriffs to maintain these lists.

Which was committed to the Committee on Highways.

Messrs. HAYS, KESSLER and WAGNER read in place and presented to the Chair Senate Bill No. 876, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing limitations on driver-education expenses of the Department; changing the basis of Commonwealth reimbursement to school districts on account of standardized driver-education programs; and providing for deductions from payments on account of instruction and tuition in the case of school districts having standardized driver-education programs.

Which was committed to the Committee on Education.

Messrs. STEVENSON, BANE and MALLERY read in place and presented to the Chair Senate Bill No. 877, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

Which was committed to the Committee on Local Government.

SENATE CONCURRENT RESOLUTION

RECALLING SENATE BILL No. 531 FROM THE GOVERNOR

Mr. RUTH offered the following resolution which was twice read, considered and agreed to:

In the Senate, November 22, 1955.

Resolved (if the House of Representatives concur), That Senate Bill No. 531, Printer's No. 185, entitled "An act amending the act of May 3, 1909 (P. L. 413) entitled 'An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus' providing for and regulating the granting of easements in across and under the beds of navigable rivers for sewer lines and other facilities of sewage treatment systems," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGES

SENATE BILL No. 785 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 785, entitled:

An Act to provide for the ordinary expenses of the Department of Public Instruction for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five and making appropriations to the Department of Public Instruction for reimbursements to school districts.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 145, entitled:

An Act prohibiting the sale transfer purchase ownership possession and use of tear and noxious gas and tear gas guns providing for certain exemptions and providing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 381, entitled:

An Act prescribing certain rights of employment and reemployment for members of the General Assembly.

which was committed to the Committee on State Government.

House Bill No. 873, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," prescribing duties and limitations for township supervisors as to holding other township offices, the number of meetings to be held, keeping of records and fixing compensation of certain township officers; changing the expense allowance for delegates to supervisors' conventions and the officers eligible to attend; fixing the procedure for selling township property; making tax exempt properties liable for certain costs for fire protection; prescribing duties of auditors and fixing compensation of members of zoning board of adjustment; providing for the construction of sidewalks and curbs and the payment therefor; changing the provisions relating to abandoned cemeteries, the publication of ordinances, connecting with sewers of adjacent municipalities, and the dedication, laying out, opening, improving, changing, relocating, taking over and vacating roads, streets and highways.

Which was committed to the Committee on Local Government.

House Bill No. 1002, entitled:

An Act relating to conditional sales made prior to July 1, 1954.

Which was committed to the Committee on Judiciary General.

House Bill No. 1735, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating the speed of certain vehicles

Which was committed to the Committee on Highways.

House Bill No. 1773, entitled:

An Act further amending the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereo including escheated property and the proceeds of it sale the custody and disbursement or other dispositio of funds and securities belonging to or in the possessio of the Commonwealth and the settlement of claim against the Commonwealth the resettlement of account and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of th Commonwealth and all agencies thereof of all publi officers collecting moneys payable to the Commonwealt or any agency thereof and all receipts of appropriation from the Commonwealth and imposing penalties affect ing every department board commission and officer o the State government every political subdivision of th State and certain officers of such subdivisions every person association and corporation required to pay asses or collect taxes or to make returns or reports unde the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth o any agency thereof every State depository and every debtor or creditor of the Commonwealth" making certain information regarding refunds available for publi inspection changing certain provisions as to the imposition and remission of penalties and granting of refund and clarifying provisions as to settlements

which was committed to the Committee on Stat Government.

REPORT FROM COMMITTEE

Mr. BLASS. Mr. President, I ask unanimous consent t make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on Judiciary General reported as committed House Bill No. 171, entitled:

An Act amending the act of July seven one thousand eight hundred seventy nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act," enlarging the jurisdiction of aldermen magistrates and justices of the peace.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 457, Printer's No. 248, on concurrence in House amendments, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous concent that Senate Bill No. 657, Printer's No. 278, on final passage, go over in its order.

THE PRESIDING OFFICER. Is there objection?

The Chair hears none.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 151, as follows:

An Act amending the act of June 20, 1919 (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer

of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" exempting certain persons corporations and organizations from tax on the transfer of property inherited or received by them.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of June 20, 1919 (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is amended by adding after section 1 a new section to read

Section 1.1 No transfer inheritance tax shall be imposed upon the transfer of any property real personal or of any vested or future interest therein or income therefrom in trust or otherwise to persons corporations and organizations where the transfer is by will or by deed gift or grant in contemplation of death made by a resident of this Commonwealth of property situated within this Commonwealth or elsewhere or made by a nonresident of property within this Commonwealth

(a) To or for the use of any corporation organized and operated exclusively for religious charitable scientific literary or educational purposes including the encouragement of art and the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private stock holder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation

(b) To a trustee or trustees or fraternal society order or association operating under the lodge system but only if such contributions or gifts are to be used by the trustee or trustees or by the fraternal society order or association exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals and no substantial part of the activities of the trustee or trustees or of the fraternal society order or association is carrying on propaganda or otherwise attempting to influence legislation

(c) To or for the use of any veterans' organization incorporated by Act of Congress or of its departments or local chapters or posts no part of the net earnings of which inure to the benefit of any private shareholder or individual

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

ane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	McGinnis,	Miller,	Van Sant,
Camiel,	Hays,	Mullin,	Wade,
Chapman,	Holland,	Peelor,	Wagner,
Dent,	Kessler,	Propert,	Watkins,
Derk,	Kopriver, Jr.	Ruth,	Watson,
Diehm,	Lane,	Schmidt,	Weiner,
DiSilvestro,	Madigan,	Scott,	Whalley,
Donolow,	Mahany,	Seyler,	Wolfe,
Flack,	Mallery,	Silvert,	Yosko,
Fleming,	McCreesh,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 249, as follows:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" increasing monthly pension allowance and maximum income allowance crediting encumbrances in realty valuation and abolishing the sum of income and pension as a ceiling for pension receivable

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of section 9 act of June 24, 1937 (P. L. 2051) known as the "Public Assistance Law" amended August 22, 1953 (P. L. 1361) is amended to read

Section 9 Eligibility for Assistance * * *

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-sixtieth or ten two-hundredths or less normal vision (3) is not receiving any other assistance during the period for which he is receiving assistance as a blind person (4) is not an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be [fifty dollars ($50)] sixty dollars ($60) per month Provided That any blind person [with an actual income of [one thousand seven hundred sixteen dollars ($1716)] two thousand five hundred dollars ($2500) or upwards and any blind person] having (1) real property with an assessed valuation of over five thousand dollars ($5000) or (2) personal property with an actual value of over five thousand dollars ($5000) or (3) a combination of real and personal property with a total valuation of over five thousand dollars ($5000) the valuation of the real property to be determined by its assessed valuation minus encumbrances the valuation of the personal property to be determined by its actual value is not entitled to such pension The interest of a blind person in any property owned by the entireties shall be deemed to be a one-half interest [and provided further That where a blind person has an income of less than [one thousand seven hundred sixteen dollars ($1716)] two thousand five hundred dollars ($2500) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed [one thousand seven hundred sixteen dollars ($1716)] two thousand five hundred dollars ($2500) a year] No person shall be denied a pension because of the fact that he or

she is not a citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to non-citizens but such person shall receive pensions out of the moneys appropriated by this Commonwealth

* * *

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 332, as follows:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of duplicate registration cards at the option of the owner and fixing the fee therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 405 act of May 1, 1929 (P. L. 905) known as "The Vehicle Code" amended June 29, 1937 (P. L. 2329) is amended by adding after subsection (e) a new subsection to read

Section 405 Registration Cards

* * *

(f) The owner may at any time be issued as many duplicate registration cards as he makes application for accompanied by the fee provided in this act

* * *

Section 2 Subsection (c) of section 713 of the act amended January 8, 1952 (P. L. 1859) is amended to read

Section 713 Operators' Licenses Duplicate Registration or Operators' License Card

* * *

(c) The fee for a duplicate operator's license card or a duplicate registration card in the event of a lost destroyed or illegible registration card shall be fifty ($.50) cents The fee for each duplicate registration card in other cases shall be one ($1) dollars

* * *

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 342, as follows:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerk thereof owners of vehicles and garage keepers providing that records are admissible as evidence upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" exempting and limting the number of motor vehicles of war amputees from the payment of title or registration fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 722 act of May 1 1929 (P. L. 905) known as "The Vehicle Code" amended August 17, 1951 (P. L. 1264) and August 24, 1951 (P. L. 1352) is amended to read

Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title o

egistration of motor vehicles fire department equipment railers and semi-trailers owned by and used exclusively n the performance of the duties of (a) the Federal Gov- rnment (b) any state other than Pennsylvania which ssues titles or registrations to this Commonwealth without harge (c) the Commonwealth of Pennsylvania (d) any ity borough incorporated town township county poor or chool district of this Commonwealth (e) any duly au- horized volunteer fire force in the extinguishment and revention of fires or in rescue work hospital humane ociety or anti-cruelty society in this Commonwealth (f) he American Red Cross (g) churches (h) Girl Scouts of merica (i) Boy Scouts of America (j) Salvation Army k) duly chartered post organization or combination of rganizations of the American Legion Veterans of Foreign Vars Philippine Pacific War Veterans Navy Club of the Jnited States United States Army Ambulance Corps Dis- bled American Veterans American Veterans of World Var II (AMVETS) the Marine Corps League Military Order of the Purple Heart Jewish War Veterans Catholic Var Veterans Inc or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et ight Chevaux and organizations and units of the Penn- ylvania National Guard (l) mine or industrial ambulances m) ambassadors minister foreign consuls general consuls nd vice consuls who are nationals of the country ap- ointing them and who are assigned to foreign consulates n this Commonwealth Provided That American con- ular officers of equal rank who are citizens of the United tates and who exercise their official functions at Amer- can consulates in such foreign country are granted eciprocal exemptions No fee shall be charged for [cer- ificates of title or registration of motor vehicles owned nd used by war amputees which were obtained through he Veterans' Administration] the certificate of title or he registration of one motor vehicle owned and used by ny war amputee All such vehicles except those owned nd used by the Federal Government shall be titled and egistered and shall display registration plates as is now rovided for privately owned motor vehicles trailers and emi-trailers

* * *

And said bill having been read at length the third time, nd agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provi- ions of the Constitution, and were as folows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the uestion was determined in the affirmative.

Ordered, That the Clerk return said bill to the House f Representatives with information that the Senate has assed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consid- ration of Senate Bill No. 602, as follows:

An Act amending the act of May 1, 1929 (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the heighth and width standards for tractor cleats or grousers and guide bands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (b) and (d) of section 602 act of May 1, 1929 (P. L. 1005) known as "The Tractor Code" amended June 22, 1931 (P. L. 815) is amended to read

Section 602 Cleats Guide Bands Grousers Chains and Tires

* * *

(b) Tractors except caterpillar or crawler type shall not be used or operated on any highway with cleats or guide bands which come in contact with the highway of greater height or of lesser width than the size or measurement specified for the several classes and gross weights as follows

Gross Weight Class in Pounds	Cleats Maximum Height	Cleats Minimum Width	Guide Bands Maximum Height	Guide Bands Minimum Width
1st Less than 12000	[2 Inches	⅜ Inch	1½ Inches	2 Inches]
	1¾ Inches	⅝ Inch	1¼ Inches	2¼ Inches
12000 and over	[2 Inches	1 Inch	1½ Inches	2¼ Inches]
	1¾ Inches	1¼ Inches	1¼ Inches	2½ Inches
2nd Less than 7500	[2 Inches	1 Inch	1½ Inches	2 Inches]
	1¾ Inches	1¼ Inches	1¼ Inches	2¼ Inches
7500 and over but less than 12000	[2 Inches	1½ Inches	1½ Inches	2 Inches]
	1¾ Inches	1¾ Inches	1¼ Inches	2¼ Inches
12000 and over	[2 Inches	2 Inches	1½ Inches	2¼ Inches]
	1¾ Inches	2¼ Inches	1¼ Inches	2½ Inches

* * *

(d) Tractors of the caterpillar or crawler type shall not be used or operated on any highway with cleats or grousers or guide bands which come in contact with the highway of greater height or lesser width than the size or measurement specified for the several classes and gross weights as follows

Gross Weight Pounds Class in	Cleats or Grousers Height Maximum	Cleats or Grousers Width Minimum	Guide Bands Height Maximum	Guide Bands Width Minimum
1st Less than 7500	[2 Inches	1 Inch	1½ Inches	2 Inches]
	1¾ Inches	1¼ Inches	1¼ Inches	2¼ Inches
7500 and over but less than 12000	[2 Inches	1½ Inches	1½ Inches	2 Inches]
	1¾ Inches	1¾ Inches	1¼ Inches	2¼ Inches
12000 and over	[2 Inches	2 Inches	1½ Inches	2¼ Inches]
	1¾ Inches	2¼ Inches	1¼ Inches	2½ Inches
2nd Less than 5000	[2 Inches	1 Inch	1½ Inches	2 Inches]
	1¾ Inches	1¼ Inches	1¼ Inches	2¼ Inches

Gross Weight Class in Pounds	Cleats or Grousers Maximum Height	Cleats or Grousers Minimum Width	Guide Bands Maximum Height	Guide Bands Minimum Width

5000 and over but less than 7500	[2 Inches	1½ Inches	1½ Inches	2 Inches]
	1¾ Inches	1¾ Inches	1¼ Inches	2¼ Inches
7500 and over but less than 12000	[2 Inches	2 Inches	1½ Inches	2 Inches]
	1¾ Inches	2¼ Inches	1¼ Inches	2¼ Inches
1200 and over	[2 Inches	2½ Inches	1½ Inches	2¼ Inches]
	1¾ Inches	2¾ Inches	1¼ Inches	2½ Inches

Cleats or grousers on caterpillar or crawler type tractor shall have a flat surface with rounded edges and shall be placed at right angles to the axis of the tractor so arranged that five (5) or more cleats on each traction surface shall be in road contact at all times The length of a cleat at the surface at the point of contact with the highway shall not be less than three-fourths (¾) the width of the tread or driving surface

* * *

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 619, as follows:

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" decreasing minimum number of employes who may be covered by policies issued to any employer or to trustees of a fund established by an employer.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Clause (3) of section 2 act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" is amended to read

Section 2. Policies Issued to Employers or Trustees of Employer Funds. A policy issued to an employer or to the trustees of a fund established by an employer to insure employes of the employer for the benefit of persons other than the employer shall be subject to the following requirements

* * *

(3) The policy must cover at least [twenty-five] te employes at date of issue

* * *

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Offic

NAYS—0

A majority of all the Senators having voted "aye," th question was determined in the affirmative.

Ordered, That the Clerk return said bill to the Hous of Representatives with information that the Senate ha passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and con sideration of Senate Bill No. 685, as follows:

An Act amending the act of June 24, 1939 (P. L. 685) entitled "An act designating certain life insurance com panies as limited life insurance companies and furthe describing the powers thereof" further regulating th powers of limited life insurance companies

The General Assembly of the Commonwealth of Penn sylvania hereby enacts as follows

Section 1 Section 2 act of June 24, 1939 (P. L. 685 entitled "An act designating certain life insurance com panies as limited life insurance companies and furthe describing the powers thereof" amended May 25, 195 (P. L. 414) is amended to read

Section 2 Powers All limited life insurance companie are hereby specifically empowered to issue policies agree ing to pay not more than [twenty dollars ($20.00)] fift dollars ($50.00) per week in the event of disablemen from sickness [nor more than double that amount in th event of disability from] or accident nor more than [fiv hundred dollars ($500.00)] one thousand dollars ($1,000.00 in the event of death from natural [or accidental] cause nor more than two thousand dollars ($2,000.00) in th event of death from accidental causes and to issue policie of endowment insurance subject to the condition herein after provided notwithstanding any limitation to th contrary established by the act of Assembly pursuant t which such corporation shall have been incorporated o reincorporated or by any other act of Assembly or b the provisions of its charter

Any such company may issue policies agreeing to pa [in excess of five hundred dollars ($500.00) but not ex ceeding one thousand dollars ($1,000.00)] not more tha one thousand five hundred dollars ($1,500.00) in th event of death from natural [and accidental] causes no more than double that amount in the event of death fror accidental causes provided it has

(a) In the case of stock companies a capital of fift thousand dollars ($50,000.00) and in addition theret has accumulated a surplus in the sum of at least twelv thousand five hundred dollars ($12,500.00) or

(b) In the case of mutual companies accumulated

surplus in the sum of at least fifty thousand dollars ($50,000.00)

Any such companies may issue policies of endowment insurance agreeing to pay not more than [one thousand dollars ($1,000.00)] one thousand five hundred dollars ($1,500.00) upon maturity thereof provided it has

(a) In the case of stock companies a capital of one hundred thousand dollars ($100,000.00) and in addition thereto has accumulated a surplus in the sum of at least twenty-five thousand dollars ($25,000.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least one hundred thousand dollars ($100,000.00)

Any such company may issue policies agreeing to pay in excess of the weekly limitations herein prescribed but not exceeding [fifty-five dollars ($55)] one hundred five dollars ($105.00) per week and agreeing to pay an additional benefit for hospital and medical expenses for any one sickness or accident not exceeding [one hundred fifty dollars ($150)] three hundred dollars ($300.00) in the event of disablement from sickness or accident provided such policies limit payment of benefits to periods during which insured shall have been admitted as a patient into and as such be necessarily wholly and continuously confined within a duly licensed and incorporated hospital provided it has

(a) In the case of stock companies additional capital of twenty-five thousand dollars ($25,000.00) and has accumulated additional surplus in the sum of at least twenty-five thousand dollars ($25,000.00) or

(b) In the case of mutual companies accumulated additional surplus in the sum of at least twenty-five thousand dollars ($25,000.00)

Such additional capital and additional surplus as required by clauses (a) and (b) of this paragraph shall be deemed to be capital and surplus additional to that required by any of the previous paragraphs of this section or by the act under which such company was incorporated or reincorporated

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 759, as follows:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" limiting reimbursement for depreciation to school districts using their own vehicles in pupil transportation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section 2541 act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" amended April 14, 1949 (P. L. 456) and May 11, 1949 (P. L. 1195) is amended to read

Section 2541 Payments on Account of Pupil Transportation School districts shall be paid by the Commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incurred by the district by the district standard reimbursement fraction In addition thereto the Commonwealth shall pay to school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the approved cost at which the district acquired the vehicle for which depreciation is claimed With respect to vehicles purchased after December 15, 1955 the annual depreciation charge shall not exceed seven hundred dollars ($700) In no case shall the Commonwealth make annual payments on account of the depreciation of any vehicle totaling an amount exceeding the cost of the vehicle as approved by the Department of Public Instruction nor more than a total of fifteen payments

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 789, as follows:

An Act to amend the act approved the ninth day of August one thousand nine hundred fifty-five (P. L.) (Act No. 130) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" by authorizing collection of data concerning deceased veterans of armed conflicts and authorizing the erection of monuments to veterans of armed conflicts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of section one thousand nine hundred twenty-three and section two thousand three hundred fifty-five of the act approved the ninth day of August one thousand nine hundred fifty-five (P. L.)

(Act No 130) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1923 Compilation of War Records Director of Veterans' Affairs

* * *

(e) For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war or armed conflict in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion the Disabled American Veterans the American Veterans of World War II (AMVETS) and the Marine Corps League through their local camps posts and branches in this Commonwealth are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificates embodying the information provided for in this section

* * *

Section 2355 Monuments and Memorials to War Veterans The board of commissioners may appropriate money for and provide for the erection of monuments or memorials commemorating the services of any person who has served in the armed forces of the United States or in any women's organization officially connected therewith during any part of any war or armed conflict in which the United States has been or may hereafter be engaged The style and character of such monuments or memorials shall be approved by the State Art Commission

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

SENATE 23

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 790, as follows:

An Act to amend the act approved the twenty-eighth day of July one thousand nine hundred fifty-three (P. L. 723 (entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" by authorizing collection of data concerning deceased veterans and armed conflicts and authorizing the erection of monuments to veterans of armed conflicts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of section two thousand one hundred twenty-three and section two thousand five hundred fifty-five of the act approved the twenty-eighth day of July one thousand nine hundred fifty-three (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 2123 Compilation of War Records Director of Veterans' Affairs

* * *

(e) For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war or armed conflict in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion the Disabled American Veterans the American Veterans of World War II (AMVETS) and the Marine Corps League through their local camps posts and branches in this Commonwealth are authorized without expenses to the county to collect the required data and prepare and file with the county commissioners certificates embodying the information provided for in this section

* * *

Section 2555 Monuments and Memorials to War Veterans The commissioner may appropriate money for and provide for the erection of mnuments or memorials commemorating the services of any person who has served in the armed forces of the United States or in any women's organization officially connected therewith during any part of any war or armed conflict in which the United States has been or may hereafter be engaged The style and character of such monuments or memorials shall be approved by the State Art Commission

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.,	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner.
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 797, as follows:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" requiring entrance of bond in appeals from board of adjustment rulings affecting zoning regulations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3107 act of June 24, 1931 (P. L. 1206) known as "The First Class Township Code" reenacted and amended May 27, 1949 (P. L. 1955) is amended to read

Section 3107 Board of Adjustment Such board of town-

:hip commissioners may appoint a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this article may provide that said board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained

The board of adjustment shall consist of three members one of whom shall be designated to serve until the first day of January following the adoption of the zoning ordinance one until the first day of the second January thereafter and one until the first day of the third January thereafter Their successors shall be appointed on the expiration of their respective terms to serve three years The members of the board shall be removable for cause by the appointing authority upon written charges and after public hearing Vacancies shall be filled for the unexpired term of any member whose term becomes vacant

The board of adjustment shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine Such chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses All meetings of the board shall be open to the public The board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official actions all of which shall be immediately filed in the office of the board and shall be a public record

Appeals to the board of adjustment may be taken by any person aggrieved or by any officer of the township affected by any decision of the administrative officer Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life and property In scuh case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of common pleas of the county on application on notice to the officer from whom the appeal is taken and due cause shown

The board of adjustment shall fix a reasonable time for the hearing of the appeal give public notice thereof as well as due notice to the parties in interest and decide the same within a reasonable time Upon the hearing any party may appear in person or by agent or by attorney

The board of adjustment shall have the following powers

(1) To hear and decide appeals where it is alleged there is error in any order requirement decision or determination made by an administrative official in the enforcement of this article or of any ordinance adopted pursuant thereto

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done

In exercising the above mentioned powers such board may in conformity with the provisions of this article reverse or affirm wholly or partly or may modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken Notice of such decision shall forthwith be given to all parties in interest

Any person aggrieved by any decision of the board of adjustment or any taxpayer or any officer of the township may within thirty days after such decision of the board upon entering into bond with sufficient security to be approved by the court to prosecute the same with effect and for the payment of all costs and damages incurred by the person not taking the appeal by reason of delay or otherwise appeal to the court of common pleas of the county by petition duly verified setting forth that such decision is arbitrary capricious an abuse of discretion or otherwise not in accordance with law specifying the grounds upon which he relies

Upon the presentation of such petition in proper form the court shall forthwith issue a writ of certiorari directed to the board of adjustment commanding it within twenty days after the service thereof to certify to the court under the certificate of its chairman its entire record in the matter in which the appeal has been taken The prothonotary shall serve the board of adjustment by registered mail with a copy of the writ and a copy of the appeal petition On or before the return day of the writ the board of adjustment shall file the entire record with the writ in the office of the prothonotary

Any time during the pendency of the appeal upon application of the appellant and upon due notice to the board of adjustment the court or a judge thereof may after hearing grant an order of supersedes upon such terms and conditions including the filing of security as the court or the judge may prescribe

If upon hearing of the appeal it shall appear to the court that testimony is necessary for the proper disposition of the appeal it may take evidence or appoint a referee to take evidence as it may direct and report the same to the court with his findings of facts and conclusions of law The court may reverse or affirm in whole or in part the decision appealed from as to it may appeal just and proper

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	**Haluska,**	**McMenamin,**	**Stiefel,**
Barr,	**Harney,**	**McPherson, Jr.,**	**Taylor,**
Blass,	**Hays,**	**Miller,**	**Van Sant,**
Camiel,	**Holland,**	**Mullin,**	**Wade,**
Chapman,	**Kessler,**	**Peelor,**	**Wagner,**
Dent,	**Kopriver, Jr.,**	**Propert,**	**Watkins,**
Derk,	**Lane,**	**Ruth,**	**Watson,**
Diehm,	**Madigan,**	**Schmidt,**	**Weiner,**
DiSilvestro,	**Mahany,**	**Scott,**	**Whalley,**
Donolow,	**Mallery,**	**Seyler,**	**Wolfe,**
Flack,	**McCreesh,**	**Silvert,**	**Yosko,**
Fleming,	**McGinnis,**	**Stevenson,**	**Berger,**

Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Seante Bill No. 813, as follows:

An Act amending the act of October 27 one thousand nine hundred fifty-five (Act No 222) entitled "An act prohibiting certain practices of discrimination because of race color religious creed ancestry age or national origin by employers employment agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent prejudice providing for judicial review and enforcement and imposing penalties" providing that termination of employment under a bona fide retirement or pension plan shall not constitute an unfair employment practice

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 5 act of October 27 one thousand nine hundred fifty-five (Act No 222) known as the "Pennsylvania Fair Employment Practice Act" is amended to read

Section 5 Unlawful Employment Practices It shall be an unlawful employment practice unless based upon a bonafide occupational qualification or except where based upon applicable security regulations established by the United States or the Commonwealth of Pennsylvania

(a) For any employer because of the race color religious creed ancestry age or national origin of any individual to refuse to hire or employ or to bar or to discharge from employment such individual or to otherwise discriminate against such individual with respect to compensation hire tenure terms conditions or privileges of employment If the individual is the best able and most competent to perform the services required The provision of this paragraph shall not apply to termination of employment because of the terms or conditions of any bona fide retirement or pension plan

Section 2 This act shall take effect immediately

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming.	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 820, as follows:

An Act amending the Act of July 28, 1953 (P. L. 723) entitled "An Act relating to counties of the second class amending revising consolidating and changing the the laws relating thereto" further regulating the repayment of money collected upon forfeited recognizances and the satisfaction of judgment liens against real property arising therefrom

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1938 Act of July 28 1953 (P. L. 723) known as the "Second Class County Code" is amended to read

Section 1938 Repayment of Money Collected [or] Upon Forfeited Recognizances and Satisfaction of Certain Judgment Liens Upon Real Property In all cases where the county commissioners have collected any money upon any forfeited recognizances duly estreated to the county commissioners or where a judgment lien upon any real property has been entered in favor of the county upon any such forfeited recognizance and where the defendant in such case subsequently surrenders himself or herself to the jurisdiction of the court or is returned thereto by the party from whom such money was collected or whose real property is encumbered by such a judgment lien the county commissioners [may] shall with the consent of the district attorney repay to [the party from whom such money was collected] such party the amount so collected on such forfeited recognizance exclusive of all costs and expenses paid or incurred by the county in such proceeding or upon payment of all such costs and expenses by the party whose real property is so encumbered satisfy of record the lien of any such judgment

Section 2 The provisions of this act shall be retroactive as of September 1 1953.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions fo the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.,	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming.	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 833, as follows:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing townships to improve public streets or roads without petition and collect the costs thereof from owners of abutting properties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The heading of subdivision (h) of Article XI and section 1135 act of May 1, 1933 (P. L. 103) known as "The Second Class Township Code" reenacted and amended July 10, 1947 (P. L. 1481) and amended May 24, 1951 (P. L. 370) are amended to read

(h) Grading or Paving Streets or Roads [upon Petition of Property Owners]

Section 1135 With or Without Petition of Property Owners Any township may grade curb gutter pave or otherwise improve with brick stone or any suitable materials any public street or road or part thereof laid out and opened in the township Such work may be done by employes of the township or by contract as the board of supervisors shall determine [No street or road or any part thereof shall be improved under the previsions of this section except] Such improvements may be made either without petition or upon the petitions of owners of property representing a majority in number of feet front of the properties abutting on the street or road or part thereof proposed to be improved

And said bill having been road at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.,	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1079, as follows:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" further providing for defining and regulating the issuance of group blanket and franchise accident and sickness insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 621.1 act of May 17, 1921 (P. L. 682) known as "The Insurance Company Law of 1921" amended in part May 25, 1951 (P. L. 412) is repealed.

Section 2 The act is amended by adding after section 621.1 four new sections to read

Section 621.2 Group Accident and Sickness Insurance (a) Group accident and sickness insurance is hereby declared to be that form of accident and sickness insurance covering groups of persons defined in this section with or without one or more members of their families or one or more of their dependents or covering one or more members of the families or one or more dependents of such groups or persons and issued upon the following basis

(1) Under a policy issued to an employer or trustees of a fund established by an employer who shall be deemed the policyholder insuring at least ten employes of such employer for the benefit of persons other than the employer The term "employes" as used herein shall be deemed to include the officers managers and employes of the employer the individual proprietor or partner if the employer is an individual proprietor or partnership the officers managers and employes of subsidiary or affiliated corporations the individual proprietors partners and employes of individuals and firms if the business of the employer and such individual or firm is under common control through stock ownership contract or otherwise The term "employes" as used herein may include retired employes A policy issued to insure employes of a public body may provide that the term "employes" shall include elected or appointed officials

(2) Under a policy issued to an association including a labor union which shall have a constitution and bylaws and which has been organized and is maintained in in good faith for purposes other than that of obtaining insurance insuring at least twenty-five members employes or employes of members of the association for the benefit of persons other than the association or its officers or trustees The term "employes" as used herein may include retired employes

(3) Under a policy issued to the trustees of a fund established by two or more employers in the same industry or by one or more labor unions or by one or more employers and one or more labor unions or by an association as defined in clause (2) of this section which trustees shall be deemed the policyholder to insure employes of the employers or members of the unions or such associations for the benefit of persons other than the employers or the unions or such association. The term "employes" as used herein may include the officers managers and employes of the employer and the individual proprietor or partnership The term "employes" as used herein may include retired employes The policy may provide that the term "employes" shall include the trustees or their employes or both if their duties are principally connected with such trusteeship

(4) Under a policy issued to any person or organization to which a policy of group life insurance may be issued or delivered in this Commonwealth to insure any class or classes of individuals that could be insured under such group life policy

(5) Under a policy issued to cover any other substantially similar group which in the discretion of the Insurance Commissioner may be subject to the issuance of a group accident and sickness policy or contract

(b) Each group accident and sickness policy shall contain in substance the following provisions

(1) A provision that in the absence of fraud all statements made by any applicant or applicants or the policyholder or by an insured person shall be deemed representations and not warranties and that no statement made for the purpose of effecting insurance shall avoid such insurance or reduce benefits unless contained in a written instrument signed by the policyholder or the insured person a copy of which has been furnished to such policyholder or to such person or his beneficiary

(2) A provision that the insurer will furnish to the policyholder for delivery to each employe or member of the insured group an individual certificate setting forth in summary form a statement of the essential features of the insurance coverage of such employe or member and to whom benefiits thereunder are payable If dependents are included in the coverage only one certificate need be issued for each family unit

(3) A provision that to the group originally insured may be added from time to time eligible new employes or members or dependents as the case may be in accordance with the terms of the policy

(c) Any group accident and health policy may provide that all or any portion of any indemnities provided by any such policy on account of hospital nursing medical or surgical services may at the insurer's option be paid directly to the hospital or person rendering such services

but the policy may not require that the service be rendered by a particular hospital or person Payment so made shall discharge the insurer's obligation with respect to the amount of insurance so paid

Section 621.3 Blanket Accident and Sickness Insurance—(a) Blanket accident and sickness insurance is hereby to be that form of accident and sickness insurance covering groups of persons in the following manner

(1) Under a policy or contract issued to any common carrier or to any operator or lessee of a means of transportation who or which shall be deemed the policyholder covering all persons or all persons of a class who may become passengers on such common carrier or such means of transportation

(2) Under a policy or contract issued to an employer who shall be deemed the policyholder covering all employes dependents or guests defined by reference to specified hazards incident to the activities or operations of the employer or any class of employes dependents or guests similary defined

(3) Under a policy or contract issued to a school or other institution of learning camp or sponsor thereof or to the head of principal thereof who or which shall be deemed the policyholder covering students or campers and which may cover supervisors and employes

(4) Under a policy or contract issued in the name of any religious charitable recreational educational or civic organization which shall be deemed the policyholder covering participants in activities sponsored by the organization

(5) Under a policy or contract issued to a sports team or sponsors thereof which shall be deemed the policyholder covering members officials and supervisors

(6) Under a policy or contract issued to cover any other risk or class of risks which in the discretion of the Insurance Commissioner may be properly eligible for blanket accident and sickness insurance The discretion of the Commissioner may be exercised on any individual risk basis or class or risks or both

(b) Every blanket accident and sickness insurance policy shall contain provisions which in the opinion of the Insurance Commissioner are at least as favorable to the policyholder and the individual insured as the following

(1) A provision that the policy and the application shall constitute the entire contract between the parties and that all statements made by the policyholder shall in absence of fraud be deemed representations and not warranties and that no such statements shall be used in defense to a claim under the policy unless it is contained in a written application

(2) A provision that wrtten notice of sickness or of injury be given to the insurer within twenty days after the date when such sickness or injury occurred Failure to give notice within such time shall not invalidate nor reduce any claim if it shall be shown not to have been reasonably possible to give such notice and that notice was given as soon as was reasonably possible

(3) A provision that the insurer will furnish to the policyholder such forms as are usually furnished by it for filing proof of loss If such forms are not furnished before the expiration of fifteen days after the giving of such notice the claimant shall be deemed to have complied with the requirements of the policy as to proof of loss upon submitting within the time fixed in the policy for filing proof of loss written proof covering the occurrence character and extent of the loss for which claim is made

(4) A provision that in the case of claim for loss of time for disability written proof of such loss must be furnished to the insurer within thirty days after the commencement of the period for which the insurer is liable and that subsequent written proofs of the continuance of such disability must be furnished to the insurer at such intervals as the insurer may reasonably require and that in the case of claim for any other loss written proof of such loss must be furnished to the insurer within ninety days after the date of such loss Failure to furnish such proof within such time shall not invalidate nor reduce any claim if it shall be shown not to have been reasonably possible to furnish such proof and that such proof was furnished as soon as was reasonably possible

(5) A provision that all benefits payable under the policy other than benefits for loss of time will be payable immediately upon receipt of due written proof of such loss and that subject to due proof of loss all accrued benefits payable under the policy for loss of time will be paid not later than at the expiration of each period of thirty days during the continuance of the period for which the insurer is liable and that any balance remaining unpaid at the termination of such period will be paid immediately upon receipt of such proof

(6) A provision that the insurer at its own expense shall have the right and opportunity to examine the person of the insured when and so often as it may reasonably require during the pendence of claim under the policy and also the right and opportunity to make an autopsy in case of death where it is not prohibited by law

(7) A provision that no action at law or in equity shall be brought to recover under the policy prior to the expiration of sixty days after written proof of loss has been furnished in accordance with the requirements of the policy and that no such action shall be brought after the expiration of three years after the time written proof of loss is required to be furnished

(c) An individual application shall not be required from a person covered under a blanket accident or sickness policy or contract nor shall it be necessary for the insurer to furnish each person a certificate

(d) Except as otherwise provided in this section all benefits under any blanket accident and health policy shall be payable to the person insured or to his designated beneficiary or beneficiaries or to his estate If the person insured be a minor or mental incompetent such benefits may be made payable to his parent guardian or other person actually supporting him or if the entire cost of the insurance has been borne by the employer such benefits may be made payable to the employer The policy may provide that all or any portion of any indemnities provided by any such policy on account of hospital nursing medical or surgical services may at the insurer's option be paid directly to the hospital or person rendering such services but the policy may not require that the service be rendered by a particular hospital or person Payment so made shall discharge the insurer's obligation with respect to the amount of insurance so paid

Section 621.4 Franchise Accident and Sickness Insurance—Accident and sickness insurance on a franchise plan is hereby declared to be that form of accident and sickness insurance issued to

(1) Five or more employes of any corporation partnership or individual employer or any governmental corporation agency or department thereof

(2) Ten or more members employes or employes of members of any trade or professional association or of a labor union or of any other association having had an active existence for at least two years where such association or union has a constitution or by-laws and is formed in good faith for purposes other than that of obtaining insurance where such persons with or without their dependents are issued the same form of an individual policy varying only as to amounts and kinds of coverage applied for by such persons under an arrangement whereby the premiums on such policies may be paid to the insurer periodically by the employer with or without payroll deductions or by the association for its members or by some designated person acting on behalf of such employer or association The term "employes" as used herein shall be deemed to include the officers managers and employes of the employer and the individual proprietor or partners if the employer is an individual proprietor or partnership

Section 621.5 Companies Authorized to Write Group Blanket and Franchise Policies Any insurance company authorized to write accident and sickness insurance in

this Commonwealth shall have the power to issue group accident and sickness insurance blanket accident and sickness insurance and franchise accident and sickness insurance as defined in this act No such group blanket or franchise policy may be issued or delivered in this Commonwealth unless a copy of the form thereof shall have been filed in accordance with section 354 of this act

Section 3 All acts and parts of acts are repealed in so far as they are inconsistent with this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.,	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1331, as follows:

An Act amending the act of May 17 1921 (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" changing provisions relating to fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 211 act of May 17 1921 (P. L. 789) known as "The Insurance Department Act of one thousand nine hundred and twenty-one" amended June 5, 1947 (P. L. 439) and June 20 1947 (P. L. 648) is amended to read

Section 211 Fees The Insurance Commissioner shall charge and collect fees as follows For valuation of life-policies not exceeding one cent for each thousand dollars of insurance valued but in no case shall the minimum fee be less then ten dollars ($10) for filing copy of charter twenty-five dollars for the filing annual or other statement twenty dollars for license to company association or exchange or certified copy or duplicate thereof two dollars for license to a rating organization the fee prescribed by the act of Assembly creating such rating organization for license as excess insurance broker one hundred dollars for each [relisting] listing for written examination of an applicant for license as an agent broker excess insurance broker public adjuster or public adjuster's solicitor [who has failed to appear or] [to pass on a previous listing five dollars] ten dollars for each applicant for such licenses who has qualified by previous examination an application fee of five dollars for license as insurance broker ten dollars for individual and [twenty-five dollars] for each license in the name of a copartnership or corporation [including individual licenses for any duly qualified individuals without extra charge for officers or solicitors not exceeding three] and for each license in the name of qualified individual active members or officers of a copartnership or corporation for agents' license for each domestic or foreign company association and exchange [two dollars] three dollars for each line of life accident and health fire casualty or title insurance for which licensed all of the said brokers' and agents' license fees to be paid in full at time of issuance of license and not to be apportioned pro ratably over the annual license period The fee for an examination application or license of an agent or broker shall cover all lines of insurance for which the examination application or license is made or issued and only one fee shall be charged for issuance or renewal of an agent's or broker's license for either (1) life accident and health lines or (2) fire casualty accident and health lines for each copy of any paper filed in the department twenty cents per folio and one dollar for certifying the same for any other certificate required two dollars for making examinations the expense of the examination All fees collected shall be daily covered into the State Treasury

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.,	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1461, as follows:

An Act amending the act of May 1 1929 (P L 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the

peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" exempting the YMCA and YWCA from vehicle registration and title fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 722 act of May 1 1929 (P L 905) known as "The Vehicle Code" amended August 17 1951 (P L 1264) and August 24 1951 (P L 1352) is amended to read

Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semi-trailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any State other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anti-cruelty society in this Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered post organization or combination of organizations of the American Legion Veterans of Foreign Wars Philippine Pacific War Veterans Navy Club of the United States United States Army Ambulance Corps Disabled American Veterans American Veterans of World War II (AMVETS) the Marine Corps League Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Inc or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux and organizations and units of the Pennsylvania National Guard (l) mine or industrial ambulances (m) the Y M C A (n) the Y W C A (o) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American counsulates in such foreign country are granted reciprocal exemptions No fee shall be charged for certificates of title or registration of motor vehicles owned and used by war amputees which were obtained through the Veterans' Administration All such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

* * * * *

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1729, as follows:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing for the incorporation and regulation of nonprofit dental service corporations furnishing dental services only to certain subscribers and their dependents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of May 5, 1933 (P. L. 289) known as the "Nonprofit Corporation Law" is amended by adding after section 219 a new section to read

Section 220 Procedure for Incorporation of Special Nonprofit Dental Service Corporations

(a) Twenty-five or more natural persons of full age of either sex married or single all of whom are residents of the Commonwealth and citizens of the United States and a majority of whom are doctors of dental surgery may form a nonprofit corporation under the provisions of this act having for its purpose the establishing maintaining and operating of a nonprofit dental service plan whereby dental services only may be provided to persons who may be provided medical dental and osteopathic services under the provisions of section 219 of this act The purposes powers and functions of corporations formed under section 219 of this act shall not be limited restricted or changed by the incorporation organization or operation of any corporation provided for under this section 220

(b) For the purpose of this act only and not for the purpose of defining dental practice as such "Dental Services" shall include only the general and usual services rendered and care administered by doctors of dental surgery as defined in the Dental Practice Act

Section 2 Section 510 of the act amended April 18, 1949 (P. L. 583) and May 12, 1949 (P. L. 1274) is amended to read

Section 510 Board of Directors of Nonprofit Medical Dental and Osteopathic Service Corporations The business of every nonprofit medical dental and osteopathic service corporation except nonprofit dental service corporations incorporated under the provisions of section 220 of this act shall be managed by at least nine natural persons of full age and of either sex all of whom shall be residents of the Commonwealth and citizens of the United States Provided however That a majority of said persons shall at all times be doctors of medicine Nonprofit dental service corporations incorporated under section

220 of this act shall be managed by at least twenty-five natural persons of full age and of either sex all of whom shall be residents of the Commonwealth and citizens of the United States a majority of whom shall at all times be doctors of dental surgery

Section 3 Except as otherwise specifically provided in section 220 and 510 of the act to which this is an amendment nonprofit dental service corporations incorporated under the provisions of section 220 shall be subject to and comply with all the requirements and enjoy all the privileges of corporations incorporated under section 219 of the act to which this is an amendment

Section 4 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.,	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representative with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1730, as follows:

An Act providing for the regulation and supervision of nonprofit dental service corporations organized to provide dental services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the dental service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of dental surgery to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit dental service corporation from providing dental services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Nonprofit Dental Service Corporation Act"

Section 2 Definitions As used in this act

(1) "Dental services" include the general and usual services rendered and care administered by doctors of dental surgery as defined in the Dental Practice Act

(2) "Nonprofit dental service corporation" includes a corporation organized and operated under the provisions of the act of May 5 1933 (P. L. 289) known as the "Nonprofit Corporation Law"

(3) "Income" includes net income from gains profits and net income derived from professions vocations trades businesses commerce or sales or dealings in property whether real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or the transaction of any business carried on for gain or profit or gains or profits and income derived from any source whatever and income derived from salaries wages or compensation for personal service of whatever kind and in whatever form paid

(4) "Low income" includes income as set forth in section 8 hereof

(5) "Over-income" includes income as set forth in section 8 hereof

(6) "Subscribers of low income" includes persons of low income who subscribe to a nonprofit dental service corporation plan

(7) "Subscribers of over-income" includes persons of over-income who subscribe to a nonprofit dental service corporation plan

(8) "Department of Health" means Department of Health of the Commonwealth

(9) "Court" means the court of common pleas of the county where the principal office of the nonprofit dental corporation is or is to be located

(10) "Person with dependents" means any person who furnishes other persons with their chief support whether or not such dependent person is related to or living with him

Section 3 Unauthorized Nonprofit Dental Service for Prepayment Periodical or Lump Sum Payments Forbidden It shall be unlawful for any person copartnership association common law trust or corporation except when especially organized and authorized under the provisions of the Nonprofit Corporation Law for the purpose to establish maintain or operate a nonprofit dental service plan whereby dental services may be provided to persons of low income and over-income as herein defined for prepayment periodical or lump sum payments but this shall not be construed as preventing a person copartnership association common law trust or corporation from furnishing dental services among its or his employes or from furnishing dental services required under the Workmen's Compensation Act and related legislation when the employe is not charged for such service nor shall any provision in this act be construed to apply to beneficial benevolent fraternal and fraternal benefit societies having a lodge system and a representative form of government Nor shall this act limit or repeal any provision of the act of June 27 1939 (P. L. 1125) as reenacted and amended known as the "Nonprofit Medical Osteopathic and Dental Service Corporation Act"

Section 4 Regulation and Supervision A nonprofit dental service corporation shall be subject to regulation and supervision by the Department of Health and the Insurance Department as provided for by this act It shall not be subject to the laws of this State now in force relating to insurance and corporations engaged in the business of insurance nor to any law hereafter enacted relating to insurance unless such law specifically and in exact terms applies to such nonprofit dental service corporation

Section 5 Reserves to be Maintained A nonprofit dental service corporation shall at all times while engaged in business maintain reserves in such form and amount as the Insurance Commissioner may determine to insure its subscribers against loss through the failure of the corporation to furnish the services agreed to in its contracts

Section 6 Scope of Service (a) A nonprofit dental service corporation shall by its articles of incorporation

and with the approval of the Department of Health the Insurance Department and the approval of the court define the limits of the area in which it will operate and the court shall be guided solely by public necessity and public interest and welfare in approving or disapproving the articles of incorporation

(b) A nonprofit dental service corporation may by its articles of incorporation or by its by-laws limit the dental services that it will provide for its subscribers and may divide such dental services as it elects to provide into classes or kinds and it may enter into contracts with its subscribers or groups of subscribers to secure dental services of any kind or class so named and delimited

(c) A nonprofit dental service corporation shall not provide dental services for its subscribers otherwise than through doctors of dental surgery

(d) A nonprofit dental service corporation shall provide dental services only to persons domiciled within the State But if a subscriber regularly domiciled within the State and entitled to dental services or any of his dependents so entitled necessarily employs dental services within the meaning of this act while absent from the State a dental service corporation to which he is a subscriber may in its discretion and if satisfied as to the necessity for such services and satisfied that it was such as the subscriber would have been entitled to under similar circumstances in this State pay to the doctors of dental surgery who rendered the services such fees and charges as would have been payable if the services had been rendered in this State Provided however That a nonprofit dental service corporation organized under the laws of this State and operating near its boundaries may with the consent of the proper officers of and as authorized by the law of the adjacent State provide dental services therein but all operations of any such corporation whether within or without this State shall remain at all times subject to the provisions of this act

(e) All dental services provided by or on behalf of a nonprofit dental service corporation shall be in accordance with the best dental practice in the community at the time but the corporation providing such services shall not be liable for injuries resulting from negligence misfeasance malfeasance nonfeasance or malpractice on the part of any officer or employe or on the part of any doctor of dental surgery in the course of rendering dental services to subscribers and the corporation may so provide in its contracts with subscribers

Section 7 Rights of Doctors of Dental Surgery etc (a) Every doctor of dental surgery practicing within the area covered by any nonprofit dental service corporation shall have the right on complying with such regulations as the corporation may make with the approval of the Department of Health to register with such corporation for general or special dental services as the case may be within that area but the corporation may with the approval of the Department of Health refuse to place the name of any doctor of dental surgery on its register Any nonprofit dental service corporation may with the approval of the Department of Health remove from its register the name of any doctor of dental surgery after due notice and hearing for cause satisfactory to the corporation

(b) A nonprofit dental service corporation shall impose no restrictions on the doctors of dental surgery who administer to its subscribers as to methods of diagnosis or treatment The relation between a subscriber or any of his dependents and the doctor of dental surgery shall be identical with the relation that ordinarily exists in the community between a doctor of dental surgery and his patient No person shall be permitted to interfere with a patient's choice or selection of his doctor of dental surgery after that choice or selection has been made by an adult of sound mind

(c) All matters disputes or controversies relating to the dental services rendered by the doctors of dental surgery or any questions involving professional ethics shall be considered acted upon disposed of and determined only by doctors of dental surgery as selected in a manner prescribed in the by-laws of the nonprofit dental service corporations

Section 8 Determination of Income Status Rights of Persons of Low Income (a) The nonprofit dental service corporation shall from time to time by action of its members fix the requisites for persons of low income eligible for the benefits of and under this act such requisites to afford due consideration to the marital status and to the number of dependents of the persons involved Any requisites thus fixed shall be subject to the approval of the Insurance Commissioner of the Commonwealth of Pennsylvania All persons not meeting the requisites for persons of low income as thus fixed shall be persons of over-income

(b) The nonprofit dental service corporation shall determine whether an applicant for subscription is in receipt of a low income or over-income within the meaning of this act and after the application has been approved the subscriber shall be deemed to be of low income or over-income until it has been redetermined by the corporation which redetermination may be made at any time

(c) The nonprofit dental service corporation in determining the income status of any person may through its officers and agents examine under oath any applicant claiming a low income status and any other person consenting thereto who is believed to have material knowledge concerning the status of the applicant Its determination shall be final

(d) Every person of low income and every person of over-income residing in the area served by a nonprofit dental service corporation shall be entitled upon complying with regulations adopted by that corporation and the payment of such initiation and other fees as authorized by the Insurance Department to the services of any doctor of dental surgery registered with the corporation under such terms and conditions as are customary in dental services in the community but only within the limits of services for which such doctors of dental surgery are registered Provided however That a nonprofit dental service corporation may for cause refuse to enter into contractual relations with an applicant and may for cause after due notice and hearing rescind any contract that it has entered into with any subscriber and refund any unearned portion of any fees paid and may on default in payment of the agreed dues fees payments or any charges by subscribers or someone on his behalf discontinue service without notice and hearing after having notified a subscriber of his default and having allowed him two days to procure such services Provided further however That persons of over-income shall be liable to doctors of dental surgery registered with the corporations rendering services to such persons of over-income for the full amount of the usual fees and charges for such services made by such doctors of dental surgery and any payment made by the corporation to doctors of dental surgery for services rendered to subscribers of over-income shall be a payment to the extent agreed upon between the corporation and the doctors of dental surgery on account of the full sum due the doctors of dental surgery for rendering such services

(e) No contract by or on behalf of any nonprofit dental service corporation shall provide for the payment of any cash or other material benefit by that corporation to a subscriber on account of illness or injury nor be in any way related to the payment of any such benefit by any other agency

Section 9 Limitation of Subscriber's Contract A nonprofit dental service corporation may as a condition precedent to entering into a contract with an applicant or group of applicants for dental service

(1) require a physical examination of the applicant and of each of his dependents if any and proof of his or their substantial freedom from any disease or condition requiring immediate dental service or likely to require it within the next twelve months before a contract becomes effective or

(2) require a waiting period after a contract is entered into and before the subscriber is entitled to dental service or

(3) require that the subscriber or someone on his

behalf shall pay the stated fee or fees for dental services in the case of any given illness or injury or other condition requiring dental service before becoming entitled to treatment under the terms of the contract

Section 10 Relief Officers May Subscribe for Service Every department commission officer and other agency of the State or of any political subdivision thereof who is charged by law with the duty of providing dental services within the meaning of this act for persons unable to provide it at their own expense or to procure it through persons to whose support and assistance they are by law entitled is hereby empowered in the exercise of his authority to provide such service if in his judgment it is in the public interest so to do through a subscription or subscriptions paid for from any lawfully available public funds with any nonprofit dental service corporation on behalf of any person or persons entitled to such relief

Section 11 Contracts Subject to Supervision of Insurance Department All rates charged subscribers or groups of subscribers by any dental service corporation incorporated under the provisions of this act and the form and content of all contracts between any such corporation and its subcribers or groups of subscribers all methods and rates of payment by such corporation to doctors of dental surgery serving its subscribers all acquisition costs in procuring subscribers the reserves to be maintained by such corporation and all contracts entered into by any such corporation and extending over a period of more than twelve months or calling for the expenditure by the corporation of any amount in excess of twenty per cent of its reserves shall be approved by the Insurance Department before they become effective

Application for such approval shall be made to the Insurance Department in such form and shall contain such information as the department requires within sixty days after the filing of such application the department shall notify the applicant in writing whether the application has been approved or rejected by notice served on the president secretary or some other responsible officer of the corportation or addressed to the corporation at its principal place of business by registered mail with return receipt requested within thirty days after the receipt of a notice rejecting any such application the corporation may petition the court for a rule to show cause why the action of the department should not be set aside and the application approved the court is hereby given jurisdiction and authority to entertain and determine any such proceeding

Section 12 Financial Report Every nonprofit dental service corporation shall on or before the first day of March of every year file with the Insurance Department a statement verified by at least two of the principal officers of the corporation summarizing its financial activities during the calendar year immediately preceding and showing its financial condition at the close of business on the thirty-first day of December of that year Such statement shall be in such form and shall contain such matter as the Insurance Department prescribes The financial affairs and status of every such corporation shall be examined by the Insurance Commissioner and his agents not less frequently than once in every three years and for that purpose the Insurance Commissioner and his agents shall be entitled to the aid and coopartion of the officers and employes of the corporation and shall have convenient access to all books records papers and documents that relate to the business of the corporation They shall have authority to examine the officers agents employes and subscribers for the dental services of the corporation and all cooperating doctors of dental surgery registered with the corporation and all other persons having or having had substantial part in the work of the corporation in relation to its affairs transactions and financial condition Such examination shall be made at such times and with such frequency as the Insurance Commisisoner may determine The Insurance Commisioner may at any time without making such examination call on any such corporation for a written report authenticated by at least two of its principal officers concerning the financial affairs and status of the corporation

Section 13 Investment Any law to the contrary notwithstanding funds of any nonprofit dental service corporation equal to its reserves shall be invested in compliance with the requirements of law for the investment of the capital reserves of life insurance companies The funds of any such corporation equal to its surplus shall be invested in compliance with the requirements of law for the investment of the surplus of life insurance companies

Section 14 Exemption from Taxation, Every nonprofit dental service corporation is hereby declared to be a charitable and benevolent institution and all its income funds investments and property shall be exempt from all taxation of the State or its political subdivisions

Section 15 Dental Service Report Every nonprofit dental service corporation shall on or before the first day of March of every year file with the Department of Health a report of its activities other than its financial activities during the calendar year immediately preceding Every such report shall be authenticated by at least two of the principal officers of the corporation and shall be in such form and contain such matter as the Department of Health prescribes The department of Health is hereby authorized to inquire into the activities of the nonprofit dental service corporations and to determine whether the corporation is providing adequate dental services to its subscribers in accordance with the best dental practice in the community The Secretary of Health and his agents shall be entitled to the aid and cooperation of the officers and employes of the corporation and shall have convenient access to all books records papers and documents that relate to the business of the corporation They shall have authority to examine the officers agents employes and subscribers for the service of the corporation and all doctors of dental surgery registered with the corporation and all other persons having or having had substantial part in the work of the corporation in relation to the affairs transactions and condition of the corporation other than financial Examinations may be made at such times and with such frequency as the Secretary of Health may determine The Secretary of Health may at any time without making any such examination call on any such corporation for a written report authenticated by at least two of its principal officers concerning the affairs of the corporation other than its financial affairs In the event the Secretary of Health finds that the nonprofit dental service corporation does not provide adequate dental services to its subscribers in accordance with the best dental practice in the community the Secretary of Health may notify the corporation of his findings and order the corporation in specific terms to extend or improve the dental services furnished by the corporation Within thirty days after receipt of such notice from the Secretary of Health the corporation may petition the court to show cause why the action of the Secretary of Health should not be set aside or modified The court is given jurisdiction and authority to entertain and determine any such proceeding and controversy

Section 16 Agents Performance of Functions Any nonprofit dental service corporation may select any person copartnership association common law trust or corporation to act as its agent in the performance of any of its functions

Section 17 Penalties Any doctor of dental surgery and any other person copartnership asociation common law trust or corporation who violate any provision of this act or of any order of the Department of Health or of the Insurance Department made pursuant thereto or that either prevents the Department of Health or the Insurance Department to discharge any duties imposed upon it by this act or fraudulently procures or attempts to procure any benefits under this act or that wilfully makes any false statement in any proceeding or report under the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1000) or to be imprisoned for not more than six months or both Any act or default by any corporation association or common law trust in violation of any provisions of the

act or of any order of the department made pursuant thereto shall be deeemed to be the act or default of its officers or directors who participated in authorizing or effecting such act or default or who knowingly permitted it

Section 18 Enforcement When necesary to effect the purposes of this act in addition to all other remedies in law or equity the Insurance Commissioner and the Secretary of Health either or both of them may be and are hereby authorized to petition the court for a mandamus or injunction to prevent any violation of the provisions of this act or the continuance of any such violation or to enforce compliance herewith The court is hereby vested with authority to entertain jurisdiction on any such petition to determine the cause and to issue such process as may be necessary to accomplish the purposes of this act

Section 19 Constitutional Construction and Severability It is hereby declared to be the purpose and intent of this act and the policy of the Legislature to authorize qualified persons to provide adquate dental services for residents of this State who are unable to provide such services for themselves or their dependents at their own cost without depriving themselves or their dependents of such necessaries of life as food clothing and shelter and provide persons of over-income with the limited dental service benefits hereinbefore set forth At the same time it is the purpose and intent of this act and the policy of the Legislature to maintain the standing and promote the progress of the science and art of dental surgery in this State The courts of this State are hereby directed to construe this act liberally in order to accomplish those ends

The provisions of this act shall be severable and if any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be effected thereby It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 20 Effective Date This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.,	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.,	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1747, as follows:

An Act to further amend clause (a) of section five hundred ten of the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making an editorial correction and changing the time for beginning use of registration plates for certain vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section 510 of the act of May 1, 1929 (P. L. 905) known as the Vehicle Code as last amended by the act of January 18, 1952 (P. L. 2163 Session of 1951) is hereby amended to read as follows

Section 510 The Expiration of Registration Plates

(a) All registration plates shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following Provided That all registration plates for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers for the registration year one thousand nine hundred fifty-three shall expire May thirty-first one thousand nine hundred fifty-four Commencing with the registration year one thousand nine hundred fifty-four and thereafter registration plate for commercial motor vehicles motor buses motor omnibuses truck tractors trailers and semi-trailers shall be issued for a registration year commencing on June first of one year and expiring May thirty-first of the year following Registration plates shall also expire when suspended for cause by the secretary The registration plate or plates for [the succeeding] a registration year may at the option of the owner be used on and after the fifteenth day of the month immediately preceding the beginning of [the current] such registration year provided that such plate or plates may be so used on and after the first day of the month immediately preceding the beginning of the registration year if the vehicle is a trailer or semi-trailer which was also registered for the immediately preceding registration year

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,

Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1779, as follows:

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and interinsurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing law" by continuing the provisions of that section in effect for a further period

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as last amended by the act approved the second day of July one thousand nine hundred fifty-three (P. L. 330) is hereby further amended to read as follows

Section 211.1 Assessments to Defray Expenses of Committee on Valuation of Securities of the National Association of Insurance Commissioners

* * *

(f) This section shall become effective the first day of June one thousand nine hundred forty-nine and shall continue in effect until and including the thirty-first day of May one thousand nine hundred [fifty-five] fifty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McMenamin,	Stiefel,
Barr,	Harney,	McPherson, Jr.	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Dent,	Kopriver, Jr.	Propert,	Watkins,
Derk,	Dent,	Ruth,	Watson,
Diehm,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Seyler,	Wolfe,

Flack,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Berger,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 257, Printer's No. 328;

Senate Bill No. 572, Printer's No. 329; and

Senate Bill No. 600, Printer's No. 330.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 670, entitled:

An Act amending the act of April 9 1929 P. L. 177) entitled "The Administrative Code of 1929" revising and expanding the state mental health program providing for the appointment of a Deputy to be known as Commissioner of Mental Health and creating an advisory council on mental health in the Department of Welfare prescribing their powers and duties and changing the powers and duties of the boards of trustees of the several State mental institutions

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Messrs. KESSLER and DENT offered the following amendments:

Amend Sec. 3 (Sec. 401), page 7, line 7, by striking out "(a)"; Amend Sec. 3 (Sec. 401), page 7, line 11, by inserting brackets before and after "four" and inserting immediately thereafter: "six"; Amend Sec. 3 (Sec. 401), page 7, by inserting between lines 12 and 13: "The terms of the first three members of all boards, the members of which now serve for terms of four years, appointed by the Governor on or after the third Tuesday of January, 1959, shall expire on the third Tuesday of January, 1961, The terms of the next three members appointed shall expire on the third Tuesday of January, 1963. The terms of the next three members appointed shall expire on the third Tuesday of January, 1965. Their successors and all members of all boards appointed to succeed members who have served six year terms shall be appointed for terms of six years from the date of the expiration of the preceding term. Vacancies happening before the expiration of a term shall be filled for the unexpired term."; Amend Sec. 3 (Sec. 401), page 11, line 10, by striking out "] (b) From"; Amend Sec. 3 (Sec. 401), page 12, line 19, by inserting a bracket after "College."

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Messrs. KESSLER and DENT offered the following amendments:

Amend Sec. 4 (Sec. 448), page 13, lines 14 and 15, by striking out "Five superintendents of state mental institutions"; Amend Sec. 4 (Sec. 448), page 13, line 17, by striking out "five" and inserting in lieu thereof: "ten".

They were agreed to.

The section was agreed to as amended.

The fifth section was read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Messrs. KESSLER and DENT offered the following amendments:

Amend Sec. 6 (Sec. 2313.3) page 16, line 7, by striking out "mental"; Amend Sec. 6 (Sec. 2313.3), page 16, line 8, by inserting after "Welfare": "caring for the mentally ill, feeeble-minded, mentally retarded, mentally deficient and juvenile delinquents"; Amend Sec. 6 (Sec. 2313.3), page 16, lines 16, 17 and 18, by striking out all of lines 16 and 17, and "(d)" in lines 18, and inserting in lieu thereof: "(c)"; Amend Sec. 6 (Sec. 2313.3), page 17, line 1, by striking out "(e)" and inserting in lieu thereof: "(d)"; Amend Sec. 6 (Sec 2313.3), page 17, line 4, by striking out "(f)" and inserting in lieu thereof: "(e)"; Amend Sec. 6 (Sec. 2313.3), page 17, line 9, by striking out "(g)" and inserting in lieu thereof: "(f)".

They were agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Messrs. KESSLER and DENT offered the following amendments:

Amend Sec. 7 (Sec. 2318), page 22, line 4, by striking out the bracket after "Pennsylvania"; Amend Sec. 7 (Sec. 2318), page 22, lines 7 and 8, by striking out the brackets before "Board" in line 7 and after "Muncy" in line 8; Amend Sec. 7 (Sec. 2318), page 22, lines 14 and 15, by striking out the brackets before "Board" in line 14 and after "Allentown" in line 15; Amend Sec. 7 (Sec. 2318), page 22, line 16, by striking out the bracket before "Board".

They were agreed to.

The section was agreed to as amended.

The eighth section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. KESSLER and DENT offered the following amendment:

Amend Title, page 2, last line of Title, by inserting after "institutions": "and juvenile delinquent institutions and the terms of members of boards of trustees of certain State institutions."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unaimous consent that House Bill No. 670, Printer's No. 1088, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 791, on second reading, entitled:

An Act making an appropriation to the Department of Agriculture for developing and operating a livestock show.

be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 816, Printer's No. 323, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 821, on second reading, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Crispin Cemetery in Philadelphia providing for its restoration and maintenance as an historic shrine and making an appropriation.

be re-referred to the Committee on Appropriations.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 822, on second reading, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to prepare edit and publish a Historical Atlas of Early Pennsylvania providing for the sale and distribution thereof and making an appropriation.

be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 823, on second reading, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Mikveh Israel Cemetery on Spruce Street in Philadelphia and providing for its restoration and maintenance as an historic shrine and making an appropriation.

be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 826, on second reading, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to edit illustrate and publish its new report on the Frontier Forts of Pennsylvania providing for the distribution and sale thereof and making ap appropriation.

be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 830, Printer's No. 324;
Senate Bill No. 831, Printer's No. 325; and
Senate Bill No. 832, Printer's No. 326.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 844, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code" authorizing the use of warning figures commonly known as "silent policemen" to be erected within school zones on highways and State highways by certain political subdivisions

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 1 (Sec. 1110), page 3, line 16, by inserting after "direction": "The local authority responsible for the placing of such traffic signs, signals and markings shall also be responsible for their removal within a reasonable period of time at the conclusion of the school day. All such signs, signals and markings shall have the approval of the Secretary of Highways prior to being put in use."

It was agreed to.

The section was agreed to as amended.

The second section and title were read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 844, Printer's No. 1090, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 961, Printer's No. 474;
House Bill No. 1172, Printer's No. 1092;
House Bill No. 1330, Printer's No. 800; and
House Bill No. 1473, Printer's No. 699.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 8, entitled:

An Act authorizing and directing the State Highway and Bridge Authority with the approval of the Governor to erect and maintain a toll bridge over the Ohio River in Beaver County between a point in the general area of Monaca-Shippingport to the general area of Beaver-Midland on the opposite side of the Ohio River and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 114, entitled:

An Act to repeal Section 518 of and to add a new section 518.1 to the act approved the twenty-second day of May one thousand nine hundred thirty-three (Pamphlet Laws 853) entitled "The General County Assessment Law" by eliminating all the provisions of the act which regulate the payment of the taxes pending appeals from assessments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 171, entitled:

An Act amending the act of July seven one thousand eight hundred seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act," enlarging the jurisdiction of aldermen magistrates and justices of the peace.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 410, entitled:

An Act relating to the satisfaction of mortgages in cities and counties of the first class by the recording of a satisfaction piece; prescribing forms therefor and fixing the fees thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 445, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," further regulating passing school buses and eliminating school bus stop signs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 480, entitled:

An Act amending the act of May 25, 1951, (P. L. 415), entitled "An act relating to habeas corpus; . . ." extending jurisdiction as to habeas corpus to courts of quarter sessions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 582, entitled:

An Act amending the act of August 19, 1953, (P. L. 1104), entitled "An act relating to the acknowledgement of instruments, the attestation of documents, . . ." extending affidavit provisions to include the spouse of a member of the armed forces.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 662, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law," empowering nonprofit corporations to transfer their property and assets in trust.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 686, entitled:

An Act amending the act of May 7, 1935 (P. L. 130), entitled "An act providing for the service of process in civil suits on nonresident operators or nonresident owners, or a resident who becomes a nonresident and conceals his whereabouts, of aircraft operated within or above the Commonwealth of Pennsylvania; . . ." making the consent deemed to have been given by a nonresident operator or owner of an aircraft involved in an accident or collision within this Commonwealth for appointment of the Secretary of the Commonwealth as his agent for service of process irrevocable and binding upon his personal representatives; providing for service of process when the nonresident operator or owner has died prior to the commencement of an action, and making changes to conform with existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 687, entitled:

An Act amending the act of May 14, 1929 (P. L. 1721), entitled "An act providing for the service of process in civil suits on nonresident operators, or nonresident owners, of motor vehicles operated within the Commonwealth of Pennsylvania; . . ." making the consent deemed to have been given by a nonresident operator or owner of a motor vehicle involved in an accident or collision within this Commonwealth for appointment of the Secretary of the Commonwealth as his agent for service of process irrevocable and binding upon his personal representative; providing for service of process when the nonresident operator or owner has died prior to the commencement of an action, and making changes to conform with existing law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 688, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949," by making further provision respecting the qualification of common stock for investment where there is a predecessor or constituent corporation and by changing the requirements of an interest bearing deposit.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 689, entitled:

An Act amending the act of April 24, 1947 (P. L. 89) entitled "Wills Act of 1947," revising and changing provisions relating to foreign wills divorce testamentary conveyances affecting right of spouse taking against a will rights of adopted persons and illegitimates in lapsed and void devises and legacies and appointment of guardian of property passing to a minor upon testator's death whether or not passing under the will.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 690, entitled:

An Act amending the act of April 24, 1947 (P. L. 80) entitled "Intestate Act of 1947," and repealing parts thereof limiting right of a spouse on partial intestacy and in selection of allowance and revising procedure for setting aside spouses' allowance establishing title to real estate when spouses' claims entire estate and distribution to the Commonwealth as statutory heir.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 691, entitled:

An Act amending the act of April 24, 1947 (P. L. 100) entitled "Estates Act of 1947" revising and changing provisions relating to power of court to terminate trusts heretofore created release or disclaimer by beneficiary of spendthrift trust income accumulations conveyances to defeat marital rights and elections against such conveyances, the conveyor's will, and the procedure therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 692, entitled:

An Act amending the act of June 28, 1951 (P. L. 638) entitled "Register of Wills Act of 1951," changing the procedure on probate of wills probated outside the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 693, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951," conferring exclusive jurisdiction on orphans' courts over the administration and distribution of incompetents' estates and on the orphans' court of Philadelphia County over inter vivos trusts and revising the procedure on and effect of jury trials and the availability of jurors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 694, entitled:

An Act repealing the act of June 7, 1917 (P. L. 337), entitled "Orphans' Court Partition Act of 1917," with exceptions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 695, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," further providing for the power of bank and trust companies and trust companies to establish and maintain mortgage investment funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 696, entitled:

An Act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure of the orphans' court and the common pleas court relating to incompetents' estates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 697, entitled:

An Act amending th eact of April 18 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" revising and changing provisions relating to first complete advertisement of the grant of letters payment of accrued pensions without letters amount of estates distributed on petition family exemptions place for grant of letters inventory and appraisment and objections thereto claims against decedents against personal representatives and against decedents' property awards to nonresident beneficiries presumption of release or extinguishment amount of minors' estates administered without guardian and exercise of powers by foreign fiduciaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 698, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended "Banking Code," further providing for authorized investments of saving banks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 734, entitled:

An Act amending the act of June 14, 1935 (P. L. 341) entitled, as amended, "Cigarette Tax Act," exempting cigarettes purchased for gratuitous issue to veteran patients in State and State-aided hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 735, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "The General County Law," regulating contributions made by county commissioners towards funeral expenses of deceased service persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 737, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "The General County Law," providing rooms for use of the American Gold Star Mothers Inc. and for certain ladies' auxiliaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 738, entitled:

An Act amending the act of July 8, 1919, (P. L. 784 No. 321) entitled "An act authorizing counties cities and boroughs to furnish rooms in public buildings for meeting places for certain organizations," including certain Ladies' Auxiliaries and the American Gold Star Mothers Inc. with provisions of act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 740, entitled:

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An Act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons," extending civil service preference to veterans of armed conflicts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 748, entitled:

An Act amending the act of June 17, 1913 (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes," by making said act applicable to all taxes heretofore and hereafter levied and remaining uncollected.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 749, entitled:

An Act amending the act of June 17 1913 (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes . . ." by allowing appeals in certain cases to be taken to the County Court of Allegheny County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 755, entitled:

An Act amending the act of June 11 1935 (P. L. 326), entitled "An act relating to counties of the first class defining deceased service persons . . ." regulating contributions made by county commissioners towards funeral expenses of deceased service persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 756, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code," changing the requirements regarding use of different types of danger and caution signals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 767, entitled:

An Act amending the act of August 9 1955 (Act No 130) entitled "The County Code," changing technical provisions with respect to plans required to be submitted to the County Planning Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 828, entitled:

An Act requiring owners and lessees of land on which there are abandoned excavations to fill in or fence the same to prevent persons falling therein; prescribing penalties; imposing duties on cities, boroughs, towns and townships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 835, entitled:

An Act amending the act of August 9 1955 (Act No. 130) entitled "The County Code" authorizing the appointment of solicitors by clerks of the court of quarter sessions and oyer and terminer in third and fourth class counties and prescribing their duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 852, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," permitting holders of bonded warehouse licenses issued by the Pennsylvania Liquor Control Board to receive in bond certain liquor and alcohol for storage in bond in this Commonwealth, regulating the release of such liquor and alcohol for delivery.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 914, entitled:

An Act reenacting and amending the act of May 23, 1949 (P. L. 1661) entitled as amended "An act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses" extending the act to include school districts of the first class A.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 985, entitled:

An Act amending the act of May 26 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" further prescribing the nature and kind of investments which may be made and retained by fiduciaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 986, entitled:

An Act relating to chattel mortgages executed and filed prior to July 1 1954 regulating the assignment release satisfaction and extension of the lien of mortgages and the filing indexing and docketing thereof in prothonotaries offices prescribing methods of foreclosure defining defaults and violations prescribing prothonotaries' fees and fixing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1144, entitled:

An Act amending the act of May 15, 1933 (P. L. 796) entitled, as amended, "An act providing for the preservation of the records or photographic film reproductions or photographic or photostatic copies thereof of banks bank and trust cmpanies trust companies savings banks private banks and national banking associations . . .;" providing further for the preservation of records and their admissibility in evidence.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1212, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code," authorizing the burgess of a borough to request that matters upon which the council has cast a tie or split vote be tabled until a special session of the council and to cast the deciding vote if necessary at that time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1227, entitled:

An Act regulating the recordings of all instruments in writing by the Commissioner of Records in the City of Philadelphia and repealing inconsistent laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1259, entitled:

An Act authorizing the commitment to the Department of Public Welfare in any city of the first class persons convicted of crimes and sentences by courts situate within such city to a city or county penal institution where such Department has established a correctional diagnostic and classification service and authorizing the transfer of prisoners between such institutions by the Department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1294, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code," regulating the advertising and offering for sale of merchandise commodities and services.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1361, entitled:

An Act authorizing the creation of regional planning commissions by counties cities boroughs towns or townships authorizing interstate participation in regional planning under certain conditions and conferring powers and imposing duties on regional planning commissions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1613, entitled:

An Act to further amend section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations, . . .,'" by requiring every title insurance or trust company bank and trust company or trust company to compute and pay the State tax on shares of capital stock when making reports and extending the date for making such reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1620, entitled:

An Act amending the act of June 11 1935 (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons . . .," extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1621, entitled:

An Act amending the act of May 2 1929 (P. L. 2278) entitled "The General County Law," authorizing collection of data concerning deceased veterans of armed conflicts authorizing the erection of monuments for and giving retirement benefits to veterans or armed conflicts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1622, entitled:

An Act amending the act of May 2 1929 (P. L. 1278) entitled "The General County Law," extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1623, entitled:

An Act amending the act of May 2 1929 (P. L. 1278) entitled "The General County Law," extending retirement benefits to veterans of armed conflicts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1625, entitled:

An Act amending the act of May 22 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in apointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States en-

gaged and in certain cases for the widows and wives of such persons" extending civil service preference to veterans of armed conflicts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1626, entitled:

An Act amending the act of May 21, 1943 (P. L. 302) entitled as amended "An act providing for the admisison of children to and their education and maintenance in and their discharge from the Scotland School for Veterans' Children . . ." extending its provisions to children of veterans of armed conflicts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1690, entitled:

An Act amending the act of May 21, 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" extending its provisions to veterans of armed conflicts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1691, entitled:

An Act amending the act of May 31, 1893 (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" changing the name of Armistice Day to Veterans' Day.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1707, entitled:

An Act amending the act of June 21, 1939 (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; . . ." changing the time for valuation or assessment of new buildings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1722, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code," further regulating changes of places of business and establishment of branches.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1726, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code," further regulating regular meetings of boards of directors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1736, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code," removing the right of appeal to the Governor in cases of incorporation merger consolidation and conversion of building and loan associations and Federal savings and loan associations and making the decision of the Department of Banking conclusive.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1737, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code," regulating the establishment of places of business and changes in the places of business and the establishment and maintenance of branches.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1751, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" conferring additional powers and duties on the county planning commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1763, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" extending the time for payment on purchases of borough property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEE

Mr. WEINER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objections? The Chair hears none.

Mr. WEINER, from the Committee on State Government, reported as committed, Senate Bill No. 318, entitled:

An Act pertaining to the resignation and retirement of judges under certain conditions; fixing their compensation upon resignation or retirement and imposing duties on certain State officers.

He also from the Committee on State Government, reported as committed, Senate Bill No. 836, entitled:

An Act amending the act of July 12, 1919 (P. L. 941), entitled "An act providing for the preparation, contents style, printing and binding of the Legislative Journal and its delivery and distribution; . . .," eliminating requirements for printing bills, joint resolutions and reports of conference committees in full in the Legislative Journal.

He also from the Committee on State Government, reported as amended, Senate Bill No. 837, entitled:

An Act to further amend the act aproved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system . . . " increasing the amount of retirement or compensation payments to persons now retired receiving survivor annuities or State compensation under the public school employes' retirement system in conformity with provisions of amendment of section II of Article 3 of the Constitution.

He also from the Committee on State Government, reported as amended, Senate Bill No. 838, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system; . . ." providing for minimum retirement allowances for present beneficiaries and appropriations for payment of the costs thereof in conformity with provisions of amendment of Section 11 of Article 3 of the Constitution.

He also from the Committee on State Government, reported as committed, House Bill No. 1723, entitled:

An Act to further amend section two hundred five of the act aproved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "The Administrative Code of 1929," by providing the State policemen assigned to duty with the Pennsylvania Turnpike Commission shall not be counted against the total number of officers and men in the State Police Force.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bills just reported from committee for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 318, entitled:

An Act pertaining to the resignation and retirement of judges under certain conditions fixing their compensation upon resignation or retirement and imposing duties on certain State officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 836, entitled:

An Act amending the act of July 12, 1919 (P. L. 941), entitled "An act providing for the preparation, contents style, printing and binding of the Legislative Journal and its delivery and distribution; . . .," eliminating requirements for printing bills, joint resolutions and reports of conference committees in full in the Legislative Journal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 837, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system . . ." increasing the amount of retirement or compensation payments to persons now retired receiving survivor annuities or State compensation under the public school employes' retirement system in conformity with provisions of amendment of section II of Article 3 of the Constitution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 838, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system; . . ." providing for minimum retirement allowances for present beneficiaries and appropriations for payment of the costs thereof in conformity with provisions of amendment of Section II of Article 3 of the Constitution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1723, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "The Administrative Code of 1929," by providing that State policemen assigned to duty with the Pennsylvania Turnpike Commission shall not be counted against the total number of officers and men in the State Police Force.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE MESSAGE

SENATE CONCURRENT RESOLUTION RETURNED WITH AMENDMENT

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Concurrent Resolution, entitled "Time of Next Meeting," with the information that the Houes has passed the same with amendment, in which the concurrence of the Senate is requested.

The Clerk read the resolution as follows:

TIME OF NEXT MEETING

In the Senate, November 21, 1955.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week it reconvene Monday, November 28, 1955, at 3:30 o'clock, p. m., E. S. T.; and when the House of Representatives adjourns this week it reconvene Wednesday, November 30, 1955, at a time to be fixed by the House of Representatives.

SENATE CONCURS IN AMENDMENT MADE BY THE HOUSE TO SENATE CONCURRENT RESOLUTION

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendment made by the House to the Senate Concurrent Resolution, entitled "Time of Next Meeting," which was just read.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, November 28, 1955, at 3:30 o'clock, p. m., Eastern Standard Time.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:10 o'clock, p. m., Eastern Standard Time, until Monday, November 28, 1955, at 3:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, November 22, 1955

The House met at 12:00 o'clock noon.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Reverend Viggo Swensen, Pastor of Zion Lutheran Church, Harrisburg, guest Chaplain, offered the following prayer:

God of the Nations Who art pleased to be called our Father we gather in Thy name honored to be called Thy children. Of ourselves we are not adequate for the great tasks confronting us. Do Thou be pleased to make us adequate not simply for the sake of our own well-being, but for the fulfilling of Thy purposes for this world. Grant us courage always to strive for the truth, and whenever there is conflict to place the truth above our own or any partisan interests. We acknowledge that too often we know what is right but need strength to sustain our convictions. Empower us, we pray thee! And may our only fear be that of offending Thee the just, Holy and loving Father. Through Jesus Christ Thy Son, our Saviour. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, November 21, 1955 will be postponed until printed. The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. STRAUSSER. HOUSE BILL No. 1893.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the maximum length of certain trucks, tractors and semi-trailers coupled together.

Referred to the Committee on Motor Vehicles.

By Mr. TOMPKINS. HOUSE BILL No. 1894.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making it unlawful to listen into deliberations of juries and for unauthorized persons to be present in grand jury room.

Referred to the Committee on Judiciary.

By Messrs. STONE and LIPPINCOTT. HOUSE BILL No. 1895.

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," regulating the appointment of judges to act as the return board.

Referred to the Committee on Elections and Apportionment.

By Mr. WILLIAMS. HOUSE BILL No. 1896.

An Act making an appropriation to the Department of Mines to abate the nuisance of burning coal refuse banks.

Referred to the Committee on Appropriations.

By Messrs. COMER and GIBB. HOUSE BILL No. 1897.

An Act amending the act of May 1, 1929 (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and non-resident real estate brokers and real estate salesmen and their business," excluding members of Congress and the General Assembly from the provisions of the act.

Referred to the Committee on Professional Licensure.

By Messrs. FILO, SARRAF, RIGBY and EWING. HOUSE BILL No. 1898.

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class, amending, revising, consolidating, and changing the laws relating thereto," further providing for and changing the provisions of the act relating to employes' retirement system and the powers, duties and liabilities of the county, the county institution district, and the retirement board relative thereto and the rights, privileges, and limitations of employes and beneficiaries under the retirement system.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs MILLS and LEVEN. HOUSE BILL No. 1899.

An Act to amend section three hundred eight of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural

relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the apporpriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by changing the duties of public utilities and the powers and duties of Pennsylvania Public Utility Commission as to tariffs which make changes from existing rates; changing the time of effectiveness of certain of such tariffs, and requiring that existing rates continue in force in certain cases.

Referred to the Committee on Public Utilities.

By Mr. LUTTY. HOUSE BILL No. 1900.

An Act amending the act of May 13, 1915 (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules of the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," permitting the employment of certain male minors as pin boys in a combination bowling alley and pool or billiard room establishment.

Referred to the Committee on Child Care.

By Mr. GOLDSTEIN. HOUSE BILL No. 1901.

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," changing the time for the making of appropriations and the levying of taxes.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Mr. GOLDSTEIN. HOUSE BILL No. 1902.

An Act amending the act of May 12, 1911 (P. L. 295), entitled " A supplement to an act, entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water-rents, or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes, and repealing certain acts relating to matters herein provided for," changing the time for the making of appropriations and the levying and assessing of taxes and water rent.

Referred to the Committee on Cities—Counties Second and Second Class A.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 729.

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. OLSEN, SARRAF, KAMYK, VERONA, Mrs. MONROE, Messrs. MULLEN, GRANVILLE E. JONES, BAZIN, MATT S. ANDERSON, HOLT, JENKINS, WALSH, FLOYD and McLAUGHLIN.

RESOLUTION No. 126.

In the House of Representatives, November 22, 1955.

The barbarous and unpunished murder of the Negro child, Emmett Till in the State of Mississippi has shocked all the civilized nations of the world and subjected our country to scorn and hatred by reason thereof, and

Our Declaration of Independence proclaims that all men are created equal, and

Section 1 of the XIVth Amendment to the Constitution of the United States provides:

(1) "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

(2)" No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States;

(3) "Nor shall any State deny to any person within its jurisdiction the equal protection of the law."

Section 4 of Article IV of the Constitution guarantees to every State a representative form of government through legal and properly conducted elections of officers.

The XVth Amendment to our Constitution provides:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State, on account of race or color."

Paragraph 1 of section 5 of Article I of the Constitution provides:

"Each House shall be the judge of the Elections, returns and qualifications of its own members.

Section 2 of the XIVth Amendment to the Constitution provides:

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of Electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

It is charged that the State of Mississippi acting through its officials, has violated the above provisions of the Constitution of the United States in that native-born adult Negro citizens of the United States and of the State of Mississippi and entitled to vote therein have been forcibly prevented by the officials of said State of Mississippi from registering in order to be able to vote, as required by the law of Mississippi; And further, that such action has resulted in the exclusion of Negro citizens from jury service in said State because its laws require that the names of prospective jurors appear on the voting lists, and Negro residents of the State of Mississippi who may be charged with crime are thus deprived of the Constitutional right to trial by a jury chosen without regard to race or color and are thereby denied the equal protection of the law, therefore be it

Resolved, That it is the sense, desire and request of the members of the House of Representatives of the State of Pennsylvania in meeting assembled,

(1) That the Senate and the House of Representatives of the Congress of the United States use their great and potent powers to protect the Constitutional and civil rights of all persons residing in the State of Mississippi without distinction as to race, creed, color or national origin.

(2) It is respectfully urged that said Houses of Congress, investigate the above charge and if the same be found to be true, that each said House thereupon declare invalid the purported elections whereby the persons presently holding seats in each body as representatives of the people of the State of Mississippi became members thereof, and declare said seats to be vacant.

(3) That thereupon steps be immediately taken by each House of the Congress to provide for the holding of lawful and properly controlled elections in the State of Mississippi in order to fill such vacancies and that at such elections all duly qualified Negro citizens of said State shall have the free and untrammelled right and opportunity to Register and to vote for candidates of their choice; and thereby likewise be made available for jury service; and be it further

Resolved, and requested that meanwhile the House of Representatives of the Congress of the United States take immediate steps to reduce the numerical quota of representation in said House to which the State of Mississippi would otherwise be lawfully entitled, in accordance with the provisions of section 2 of the XIVth Amendment to the Constitution of the United States, and be it further

Resolved, That all of the above, we, the members of the House of Representatives of the State of Pennsylvania respectfully urge and recommend to the favorable consideration of the Congress of the United States; bearing in mind that "We, the People" did ordain and establish the Constitution of our glorious country, the United States of America, "in order to establish justice, . . . promote the general welfare and secure the blessings of liberty to ourselves and our posterity," and be it further

Resolved, That duly authenticated copies of this Resolution be forwarded to the Clerk of the Senate and to the Clerk of the House of Representatives of the Congress and also to every Congressman and to the Senators representing the people of the State of Pennsylvania in said Congress.

Referred to the Committee on Rules.

By Mr. FRANK and Miss LEIBY.

(Concurrent) RESOLUTION No. 127.

In the House of Representatives, November 21, 1955.

Employes of the Commonwealth of Pennsylvania are not under the provisions of Federal Social Security at the present time, thus constituting a lack of protection for the future welfare of themselves and their families.

Employes are constantly entering the employ of the Commonwealth, having heretofore contributed to and enjoyed the protection of such Social Security System.

By virtue of their employment by the Commonwealth, available benefits under such Social Security System are endangered through lack of participation.

Numerous employes by virtue of employment by the Commonwealth are now members or required to become members of the State Employes' Retirement System. All benefits accumulated or to be accumulated in the continuance of said retirement system shall remain in effect, and the institution of social security privileges shall in no way endanger or dissolve the existing State Employes' Retirement System; therefore be it

Resolved, That this House of Representatives hereby pledges itself to give thorough and understanding attention to the consideration of bills which have been introduced to provide for the extension of social security benefits to State employes.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 834.

An Act amending the act of May 9, 1949 (P. L. 927), entitled "An act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, for their official acts and the services of their deputies, watchmen, appraisers, and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the county, including the compensation of special deputies, providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general, special or local," changing fees, commissions, mileage and other costs chargeable by sheriffs.

HOUSE BILL No. 1572.

An Act relating to coal mining well operations and the underground storage of gas except in storage reservoirs excavated in rock formations specifically for storage purposes and the safety of personnel and facilities employed therein prescribing the rights and duties of well operators before during and after the drilling of wells for the production extraction or storage of any gas petroleum or other liquid regulating the underground storage of gas under workable coal seams prescribing the rights and duties of owners and operators of coal mines in relation to wells and underground storage areas granting certain corporations a limited right of eminent domain to apropriate interests in real property for surface and subsurface operations in connection with the nuderground storage of gas creating the Oil and Gas Division of the Department of Mines and defining its personnel powers and duties providing for hearings and the procedures to be followed therein and imposing duties upon the courts and providing methods for the enforcement of the provisions of this act and imposing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Rovansek for Mr. FARABAUGH for the afternoon session.

REPORTS FROM COMMITTEES

Mr. ROVANSEK from the Committee on Education, reported as amended, House Bill No. 980, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the recommending nominating and appointment of supervisors of agriculture homemaking and industrial education.

Mrs. VARALLO from the Committee on Education, reported as amended, House Bill No. 981, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" removing the limitation on the maximum compensation payable by the Commonwealth for vocational extension classes and permitting the payment of the full cost of certain vocational training courses and providing for the revision of the budget in such cases.

Mr. MORAN from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1231, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (1) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributors based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by including services of industrial insurance agents within the definition of employment.

Mr. TOLL from the Committee on State Government, reported as committed, House Bill No. 1370, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical and Museum Commission, to acquire by purchase or condemnation certain lands located in Brady Township, Butler County, Pennsylvania, on Route 8, about twelve miles north of the city of Butler; providing for the control, maintenance and improvement thereof; and making an appropriation.

Mr. MAGEE from the Committee on Labor Relations, reported as committed, House Bill No. 1399, entitled:

An Act requiring employers to pay for medical examination fee where such examination is a condition of employment.

Mr. JUMP from the Committee on Cities—Third Class, reported as committed, House Bill No. 1530, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," increasing the amount of tax which may be levied and collected for general revenue purposes.

Mr. McKEEVER from the Committee on Labor Relations, reported as committed, House Bill No. 1782, entitled:

An Act relating to apprenticeship; creating a State Apprenticeship Council in the Department of Labor and Industry to formulate an apprenticeship policy and program and defining its powers and duties; and providing for administration.

Mr. MATT S. ANDERSON from the Committee on Motor Vehicles, reported as committed, House Bill No. 1831, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by adding a certain classification and definition of motor vehicles and fixing a fee therefor.

Mr. GRANVILLE E. JONES from the Committee on State Government, reported as committed, House Bill No. 1833, entitled:

An Act amending the act of April 15, 1873 (P. L. 75), entitled "An act relating to the fees of the surveyor general," increasing fees to be charged by the Department of Internal Affairs.

Mr. MATT S. ANDERSON from the Committee on Motor Vehicles, reported as committed, House Bill No. 1832, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled, as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; im-

posing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by changing the maximum gross weights allowed for certain vehicles.

Mr. SWARTZ, from the Committee on Education, reported as committed, House Bill No. 1838, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further regulating the admission of beginners to the public schools.

Mr. MATT S. ANDERSON from the Committee on Motor Vehicles, reported as amended, House Bill No. 1839, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," changing the definition of the word "chassis" to include a rear bumper and requiring passenger motor vehicles to be equipped with certain types of exhaust pipes.

Mr. MATT S. ANDERSON from the Committee on Motor Vehicles, reported as committed, House Bill No. 1848, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," excluding the weight of safety devices in determining gross weight.

Mr. McCORMACK from the Committee on Motor Vehicles, reported as committed, House Bill No. 1860, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating official inspections of motor vehicles, trailers and semi-trailers.

Mr. MATT S. ANDERSON from the Committee on Motor Vehicles, reported as committed, House Bill No. 1862, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," making it a crime to commit a fraud regarding any form or application filed with the department.

Mr. McCORMACK from the Committee on Motor Vehicles reported as committed, House Bill No. 1863, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for

damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating lighting equipment, lights and devices, and the use thereof; and prescribing penalties.

Mr. BRANCA from the Committee on Motor Vehicles, reported as committed, House Bill No. 1864, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the use of registration plates warning devices and flags and clarifying the designation of "No Passing Zones."

Mr. McCANN from the Committee on Motor Vehicles, reported as committed, House Bill No. 1868, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," prohibiting driving on the wrong side of a divided highway.

Mr. MATT S. ANDERSON from the Committee on Motor Vehicles, reported as committed, House Bill No. 1869, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," making it unlawful for any person to lend or permit the use of an operator's license or learner's permit not issued to him.

Mr. MATT S. ANDERSON from the Committee on Motor Vehicles, reported as amended, Senate Bill No. 105, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" directing the issuance of special registration plates to war amputees and paralytics and exempting such persons from the payment of certain fees in connection with motor vehicles.

Mr. MATT S. ANDERSON from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 125, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines; forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the permanent registration and the issuance of permanent registration plates to political subdivisions for fire and police vehicles.

Mr. DOUGHERTY from the Committee on Highways, reported as committed, Senate Bill No. 156, entitled:

An Act amending the act of June 1 1945 (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" authorizing the department to provide for certain work on municipally owned public utilities.

Mr. WILLIAMS from the Committee on Labor Relations, reported as committed, Senate Bill No. 165, entitled:

An Act amending the act of June 30 1947 (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" changing the method of selecting panels for the adjustment of grievances of certain school district employes and imposing additional duties on such panels.

Mr. WOOD from the Committee on State Government, reported as amended, Senate Bill No. 384, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or beloning to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," providing for the payment of refunds of moneys to persons entitled thereto in lieu of crediting their accounts; and appropriating moneys for the payment of such refunds and of existing credits.

Mr. MATT S. ANDERSON from the Committee on Motor Vehicles, reported as amended, Senate Bill No. 524, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within tre Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providingf or refunds," defining transit mix vehicles, and fixing registration fees and permissible weights therefor.

Mr. DOUGHERTY from the Committee on Highways, reported as committed, Senate Bill No. 528, entitled:

An Act authorizing and empowering the Delaware River Port Authority to finance, construct, operate, maintain and own a new toll bridge for vehicular traffic across the Delaware River between Philadelphia County, Pennsylvania, and Burlington County or Camden County, New Jersey, at a location to be selected by the said Delaware River Port Authority betwen a point or points within a three mile radius of the intersection of State Road and Levick Street in the City of Philadelphia, Pennsylvania, and a point or points within a three mile radius of the intersection of New Jersey State Route No. 73, Market Street and Temple Boulevard in Palmyra, County of Burlington, New Jersey, together with such approaches thereto and such highway connections as may be necessary or desirable, and granting and defining certain powers of eminent domain and other functions, powers, duties and privileges; all of said actions to be taken pursuant to and in accordance with this act and the Compact or Agreement and amendments or supplements thereto between New Jersey and Pennsylvania, dated July 1, 1931, August 23, 1951, and August 30, 1951, and the consent by the Congress of the United States thereto.

Mr. BRANCA from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 543, entitled:

An Act to further amend clause (f) of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public saftey; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the higrways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators and limting the powers of local authorities to deal with thereof, upon payment of prescribed fees; prescribing the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officer, mayors, burgesses, magistrates, aldermen, justice of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by changing the maximum gross weight and axle load of certain commercial motor vehicles.

Mr. GAFFNEY from the Committee on Education, reported as committed, Senate Bill No. 723, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing joint school committees to manage designated functions of joint schools or departments.

Mr. ROVANSEK from the Committee on Education, reported as committed, Senate Bill No. 724, entitled:

An Act to further amend the act, approved the tenth

day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring the payment of money withheld from State appropriations to pay default in rent to a municipality authority or nonprofit corporation.

Mr. WELSH from the Committee on Labor Relations, re-reported as committed, House Bill No. 124, entitled:

An Act regulating the payment of wages or compensation for labor or service in certain private employments establishing regular paydays imposing duties upon employers conferring powers and duties upon the Department of Labor and Industry imposing additional powers and duties on the Secretary of Labor and Industry for the civil collection of wages and imposing civil and criminal penalties and providing for their collection and disposition.

Mr. A. PATRICK BRENNAN from the Committee on Education, re-reported as amended, House Bill No. 949, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for courses of study in first aid and home nursing to be included during the last four years of any complete high school program.

Mrs. VARALLO from the Committee on Education, re-reported as amended, House Bill No. 1547, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" requiring excusing of children for non-attendance for treatment by physician osteopath optometrist or dentist.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. JUMP asked and obtained unanimous consent to add additional sponsors to a bill reported from Committee by him.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration if House Bill No. 1159, entitled:

An Act to further amend subdivision (3) of subsection (1) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 Pamphlet Laws 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by extending the provisions thereof to include employes of the State and political subdivisions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1352, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical isues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" including brucellosis within meaning of term of occupational diseases in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1367, entitled:

An Act amending the act of June 2, 1915 (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" providing for the payment of compensation to kin of deceased employes dying prior to receiving payment of total benefits and no longer requiring indemnity where compensation due is commuted by board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1368, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" providing for the payment of compensation to kin of deceased employes dying prior to receiving payment of total benefits and no longer requiring indemnity where compensation due is commuted by board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1778, entitled:

An Act to authorize the transfer of certain automobiles used in child welfare programs and purchased with Federal funds to certain counties.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. GELFAND asked and obtained unanimous consent to address the House.

Mr. Speaker, in reading through the Dickinson Law Review, a publication from one if the finer law schools of Pennsylvania, in October I noted a very informative article by one of our colleagues, Mr. Sherman. This article is particularly appropos to the business of this House inasmuch as it deals with a problem which was mentioned in House Bill 667, the problem of comparative negligence.

This is very important to all the residents and operators of motor vehicles in Pennsylvania. The legislotion that was introduced in the early part of this session has yet to be considered. However, for the edification of the Members of the Committee and all the Members of the House I would like to incorporate this article in the records of this body.

The SPEAKER. If there is no objection, the article will be incorporated in the record. The Chair hears no objection.

COMPARATIVE NEGLIGENCE

By

HON. LOUIS SHERMAN *

The present laws of Pennsylvania is, that a person who by his own negligence contributes in any degree, however small, in causing his injury, may not recover anything from the defendant, no matter how definite the latter's negligence and its causal connection with the harm.

The query is, should the case of the uncompensated victim be considered or should his misconduct, no matter how small, be considered of such penal basis as to deprive him completely of a recovery no matter how negligent the defendant was? Should a negligent defendant be encouraged and go scot free regardless of his blame and notwithstanding the fact that the plaintiff was only slightly at fault?

The usual case is that of a motorist who enters an intersection and fails to yield the right of way on the mistaken assumption that the speeding defendant will slow down for him. Another case may involve a plaintiff who saw or should have seen, a defendant driving carelessly.

The strict rules of the Common Law have been modified in cases of intentional tort.

Though it may be difficult to apportion loss on the basis of comparison of fault with fault between a pedestrian not looking and a driver who runs him down, yet this is not any more accurate than one based on the arbitrary conclusion that 100 percent responsibility rests with plaintiff and none whatsoever with defendant.

A closer approximation of substantial justice is to divide the damages equally between the parties rather than to deny all recovery.

As a result of the present decisions and clamor for legislation, a bill has been introduced in the House, called House Bill 667 which, if enacted, would change Pennsylvania law so as to conform to the law in other states and be in accord with our own decisions on the subject.

* Member of the General Assembly, House of Representatives, Member of the Pennsylvania Bar.

House Bill 667 provides for the determination and effect of comparative negligence in actions of tort and provides that contributory negligence shall not bar recovery:

"Section 1

(a) In all actions hereafter brought for death or personal injuries or damage to property caused by unlawful violence or negligence the fact that the person injured or killed or the parties suing or the owner of the property or the person having control over the property may have been guilty of contributory negligence shall not bar a recovery.

(b) In any action the damages to be recovered shall be diminished in proportion to the amount of contributory negligence attributable to any such person

(c) The determination of the proportion of contributory negligence in any action shall be a matter entirely for the jury or in cases tried without jury for the trial judge.

(d) If having regard to all circumstances of the case the fact finding body shall not find it possible to determine the respective degrees of faults between the plaintiffs and the defendants they shall be deemed to be equally at fault and the damages shall be diminished by one-half."

Great injustice is done by the doctrine of contributory negligence. The defense of contributory negligence absolves from all fault and liability, whereas that of proportionateness goes merely to the reduction of damages.

In the United States there are forty statutes on the books and in apparently successful operation, dealing with the subject of comparative negligence.

The apportionment of damages was first brought home to most of the United States in 1908 by the Federal Employers' Liability Act which applied to all negligence actions in the Federal or State Courts for injuries to railroad employees engaged in interstate commerce. The apportionment provision was incorporated by reference into the Jones Act and the Merchant Marine Act which were enacted in 1915 and 1920 and are applicable to injuries to maritime employees. The provision was repeated in a series of State Employers' Liability Acts covering railroad and other employees enacted in eighteen states.

Comparative Negligence Statutes in one form or other have been enacted in Mississippi, Arkansas, Florida, Georgia, Iowa, Nebraska, South Dakota, Virginia and Wisconsin.

Where both parties have been guilty of negligence, both must share responsibility and the plaintiff may recover a portion of the damages suffered according to the negligence attributable to him.

Courts of Admiralty showed their displeasure with the common law rule of contributory negligence and early claimed that if both parties contributed to the loss, the damages should be divided between them.

The Maritime Conventions Act of 1911 in England has provided, along the line of the present proposed legislation, that where it is diffitult or impossible to allocate the degrees of blame on both ships but where it is proven that both were at fault in some degree, the rule of division of loss would not be altered and each wrongdoer should bear one-half of the total loss.

Legislation forced the doctrine of comparative negligence in the employer-employee relationship in cases of common carriers. In the field of workmen's compensation acts involving master and servant, the common law rule of contributory negligence proved too harsh. The most striking features of the workmen's compensation law is the provision abolishing the common law defenses of contributory negligence and assumption of risk.

The operation of the principle of contributory negligence is unjust and untenable. No matter how negligent the defendant is, if the person injured has failed to exercise proper care on his part, he cannot recover.

A Mississippi Act,[1] provides that in all personal injury or death or property damage actions, contributory negligence "shall not bar a recovery but damages shall be diminished by the jury in proportion to the amount of negligence attributable to the person injured, or the owner of the property, or the person having control over the property."

Perhaps the rule of contributory negligence may have acted as a deterrent in the early days in England, commencing with the case of Butterfield v. Forrester,[2] but experience has shown that it is unjust to allow negligent defendant to escape the consequences of his negligent conduct.

In the light of present decisions, if the defense propounds a question to show that plaintiff failed to continue to look while crossing an intersection, plaintiff would be non-suited.

The Pennsylvania Supreme Court has realized that the doctrine of contributory negligence is unsuited to modern conditions, and where left to the jury, after the most careful charge, juries nonetheless bring in verdicts for the plaintiff but generally in a smaller amount than would otherwise be the case. Lawyers act on these facts in valuing cases for settlement.

The application of the rule of comparative negligence is best illustrated in our own court decisions:

In the case of Karcesky v. Laria,[3] the plaintiffs, while crossing in the middle of the block from east to west, were struck as they were in the center of the highway, by the defendant's northbound automobile at about the time the additional defendant's southbound automobile passed them. Plaintiff's last saw defendant's automobile about a block away when they had walked to the center of the street but never looked again to their left, from which direction defendant's car was coming.

The court held that the circumstantial evidence in this case was sufficient to make out a prima facie case of negligence on the part of defendant. Plaintiffs were held not guilty of contributory negligence as a matter of law. The male plaintiff suffered a fracture of the left clavicle and severe contusions to the left forearm and left shoulder. The expenses for himself and wife totalled $1,700; the wife suffered fractures of three front teeth, a fracture of the sacrum and of the pelvis and of the left fibula, a sprain of the lower back, hematoma of the left thigh and small bruises, and her total loss of earnings approximated $4,000. The verdict of $3,000 for the husband and $2,000 for the wife was permitted to stand. It was obviously a sympathy verdict due to the jury's belief that the plaintiffs stepped into the path of defendant's car without looking and consequently contributed substantially to their own accident. The Court held:

> "The doctrine of comparative negligence or degrees of negligence is not recognized by the courts of Pennsylvania, but as a practical matter they are frequently taken into consideration by a jury. The net results, as every trial judge knows, is that in the large majority of negligence cases, where the evidence of negligence is not clear, or where the question of contributory negligence is not free from doubt the jury brings in a comprehensive verdict."

The jury renders a compromise verdict which is much smaller in amount than they would have awarded (a) if defendant's negligence was clear and (b) if they were convinced that plaintiffs were free from contributory negligence. As stated by Mr. Justice Musmanno, in a strong dissenting opinion in said case, the doctrine of comparative negligence must be applied methodically and not spasmodically. This court or the legislature will need to establish procedure and norms of appraisal, such as those which are now embodied in the Federal Employers' Liability Act.

An example of an injustice done by the doctrine of contributory negligence is the case of Good v. Pittsburgh.[4] It was a trespass case against a municipality to recover damages for personal injuries and partial destruction of a house resulting from an explosion, in which it appeared that a hole had exploded in a public highway in front of plaintiff's home, and that trucks were violently jolted when their wheels traversed the hole, causing vibrations in plaintiff's house which finally caused a crack to develop in the gas pipe in plaintiff's cellar through which gas escaped and exploded. A recovery was denied.

The court stated that the plaintiff has the burden of establishing by a preponderance of the evidence the fault of the defendants as the proximate cause of the injury.

As Section 463 of the Restatement of Torts defines it, "Contributory negligence is conduct on the part of the plaintiff which falls below the standard to which he should conform for his own protection and which is a legally contributing cause, cooperating with the negligence of the defendant in bringing about the plaintiff's harm."

Contributory negligence may stem either from a person's careless exposure of himself to danger or from his failure to exercise reasonable diligence for his own protection.[5]

As a result of the decisions of our appellate courts, there is great confusion and the legal profession is left in a quandry as to what advice to impart to injured citizens seeking its services and intervention in behalf of justice.

Successful application of the doctrine of comparative negligence in the several special fields, as in admiralty, workmen's compensation acts, employers' liability acts and in automobile guest cases, reveals the practicability of this change in the rules of negligence. Judging from the practical experience of admiralty courts and other courts applying special statutes dealing with comparative negligence, there are no hidden pitfalls in the doctrine into which courts may fall other than certain other problems in connection with proper instructions by trial courts governing the mode of division or apportionment of damages.

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[1] MISS. CODE ANN. § 1454 (1942).
[2] East 60, 103 Eng. Rep. 926 (K. B. 1809).
[3] 382 Pa. 227 (1955).
[4] 382 Pa. 255 (1955).
[5] RESTATEMENT, TORTS § 465 (1954).

If enacted, comparative negligence law would demand thought and study, but legal problems have been effectively solved in the past and the solution of this problem should be hastened by the precedents available in sister jurisdictions. The subject is neither new or revolutionary. Steady encroachments upon the doctrine of contributory negligence have weakened its claim of authority.

At present the proposed Bill 667 is in the hands of a subcommitteee of the Judiciary Committee, for study.

It is felt that the legislature will be taking a tremendous step forward in the field of social legislation if it adopts this bill. The problem certainly deserves the attention of the legislature.

It is hoped that this small note will help the legislature give the doctrine legal status.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WILLIAM B. SMITH.

The House resumed the consideration on final passage of House Bill No. 68, entitled·

An Act amending the act of April 12, 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" authorizing the transfer of certain retail licenses to clubs without affecting the number of licenses thereafter granted in any municipality

On the question recurring,

Shall the bill pass finally?

Mr. WILLIAM B. SMITH. Mr. Speaker, House Bill 68 was drawn for the purpose of permitting a club, a bona fide club, to secure a license.

It is still my understanding that club licenses are within the quota. We have tried from time to time to make it possible for clubs, bona fide clubs, to get a liquor license, without any success.

We fell that this bill is properly drawn so that we can do that particular thing, and what this bill will do, it will permit a bona fide club, a certified bona fide club, to secure a retail license. This should not affect the quota because the club licenses are part of the quota.

When this retail license is secured by a club, it automatically becomes a club license but is still a part of the quota. Therefore, from interpretations I have received from capable lawyers, it would not create a vacancy in the particular political subdivision in which this might occur.

There are a lot of districts where the quota is considerably over the number allowed in that locality and, of course, it would have no effect there because it would not create a vacancy. As I have stated, the number of licenses is away over in that particular location.

I feel that this bill is a badly needed bill. It will help the veterans' clubs and many other clubs throughout the state which have been trying for a long time to secure licenses for their clubs. I believe this bill will be a step in the right direction and I cannot see why we should run into opposition because it would not create a vacancy, and, therefore, no one would be able to apply for a license where a transaction of this type might take place.

Mr. JOHNSON. Mr. Speaker, I would like to interrogate the gentleman from Beaver.

The SPEAKER. Will the gentleman from Beaver, Mr. Smith, consent to be interrogated?

Mr. WILLIAM B. SMITH. I shall, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, did the gentleman from Beaver address his question about eliminating a retail license and making a club license out of it to the attorneys over in the Liquor Control Board, or to Mr. Caley, the Director of Licensing?

Mr. WILLIAM B. SMITH. Mr. Speaker, no, I did not. I discussed this with the Attorney General's office and they are of the opinion that it would create a vacancy. However, on the other hand, I consulted with other attorneys, not being an attorney myself, and there is some question in their minds. They feel they are either in the quota or out of the quota. If they are in the quota, they are part of it.

In debate on prior bills we always ran into the question that they were included in the quota. If they are included in the quota, they must be part of the setup. Therefore, if a transfer was made, they would still be within the quota and would not create any vacancy.

Mr. JOHNSON. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I would not want anyone to vote on this bill under a misapprehension. Clubs technically are in the quota if certain things exist. Take an example, if a community is allowed three retail liquor licenses and if they only have two retail liquor licenses, the quota is open and you could have one new retail liquor license.

While the quota is open and there is opportunity to have one new liquor license, the Board by the way they are interpreting the law, would permit 50 club licenses to be granted in that community, but the minute the last retail license is taken up and the quota is filled on retail liquor licenses, then automatically the quota becomes filled on club licenses. That sounds peculiar to you, but that is the law today and it is the way it is being interpreted by the Liquor Control Board.

Therefore, and this is what Mr. Smith, our Floor Leader, asked the gentleman when it was up several weeks ago, the question we are propounding is in this community with three licenses if that retail license becomes converted into a club license by reason of this bill, then there will be two liquor licenses only in that community and the quota will then be open for another retail liquor license. Until somebody takes up that retail liquor license, 50 new club licenses could come in. That is the way we were interpreting it and we were asking the gentleman to clarify that particular point.

I would say offhand that is what would prevail if this bill passes. I am not saying it is not a good thing to be able to change a retail license into a club license, because we all know that we have many Legion Clubs throughout this state that perhaps should have liquor licenses. During the war when these fellows were fighting abroad others

back home here were organizing clubs and took up the club quota. It presumably would be a good thing for a retail license to be converted into a club license, but there is some question whether by doing that the quota would be open so that say 50 additional clubs could come under the wire.

I do not believe you have made that point clear and on my part I think that is a reasonable interpretation of this bill if you have a community with three licenses.

However, if this community which under the quota law would be entitled to three liquor licenses but has six licenses now by reason of people coming under the wire before we put in the quota system, and you transfer one of them to a club license, that will leave five retail licenses in the community and the quota on clubs will be filled, So I grant you it would only apply in a place where they have just three liquor licenses, where that is all they would be entitled to.

I realize that is a rather complicated explanation, but that is the way I see it. I think you ought to clear that with Mr. Caley, who is the Director of Licensing.

Mr. WILLIAM B. SMITH. Mr. Speaker, the gentleman from McKean makes my point even stronger. When the original liquor bill was drawn clubs were not to be included in the quota. It is a different interpretation that brought about this situation. I believe this bill is a bill that will clarify that situation once and for all.

Now, they are neither in the quota or they are not in the quota. And I think this is a step in the right direction. It is just a matter of interpretation and, as I say, you men have heard it said before on the floor of this House by men who drew this liquor law that the clubs were not to be a part of the quota. Now, we find but that they are. Well, I think that they are and some of the attorneys I have talked to don't think they are, and I believe that this particular bill here will clarify the situation.

Mr. JOHNSON. Mr. Speaker, I must confess that we on this side thought the gentleman would get a ruling from the Liquor Control Board people on this point. I wonder if he would hold this bill over and let us ourselves get a determination because we are not against him on this and the end that he is trying to achieve, but if he is opening a blind door by this bill, that is something else. We think that in quite a number of cases that is what will hoppen.

Mr. WILLIAM B. SMITH. Mr. Speaker, in answer to the gentleman's remarks, I ran into this, the Liquor Control Board, I don't recall the man's name that I was supposed to have talked to, but I was given to understand that they were very hostile to this type of legislation.

Now, I can see no point in talking to those people because they have evidently made up their minds, and whether this bill is right or whether it is wrong doesn't make any difference to them. We have been elected here by the people and I believe that regardless of how hostile they feel towards this bill, that it is a good bill and I think that the Members of this House should pass this bill and allow the chips to fall where they may. It is either a good bill or a bad bill, and I believe it is a good bill, and some of the attorneys to whom I talked believe it is a good bill, and they are not interested in clubs.

I feel that we as elected Members should run this show and not let somebody who is hostile to this type of legislation try to tell us what to do.

Mr. JOHNSON. Mr. Speaker, I would like to further interrogate the gentleman, if I may.

The SPEAKER. Will the gentleman from Beaver permit himself to be interrogated?

Mr. WILLIAM B. SMITH. I shall, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, I don't like to take up any more time on this bill but it seems to me, the gentleman is being, shall I say, stubborn about it. If the gentleman would just have an amendment prepared which would not open the door, as we have suggested, I think he would probably get some support for his bill, but if this question is going to be left up in the air, I don't know what will happen to it.

It seems to me you could get us a written opinion from the Attorney General's office here about the situation, rather than just some fragmentary advice that you have received. I want to repeat I think you should pass the bill over to give us a chance to look into this matter.

Mr. WILLIAM B. SMITH. Mr. Speaker, I am not stubborn. I don't know where they got that word, but they seem to use it an awful lot. I am just trying to be fair, as Mr. Lovett would say.

I feel that an elected representative here has a right to introduce legislation if he is properly advised that it is good legislation by competent attorneys, and not be stopped from doing so just because somebody on the Liquor Control Board opposes it. I don't know how long he has been over there or just what their idea is. Now if this gentleman were friendly I wouldn't mind going over there and having a talk with him but I can see no point in going over there and talking to somebody who has simply made up his mind that it is a bad bill.

However, I will ask for a five day extension on this bill to try to iron the tangles out, so it will be satisfactory to you people on the other side of the House.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. WILLIAM B. SMITH. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

HOUSE BILLS NOS. 1823, 1825 and 1311 MADE SPECIAL ORDER

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1823, Printer's No. 1030 on page 20; House Bill No. 1825, Printer's No. 1032 on page 22 and House Bill No. 1311, Printer's No. 1024 on page 13 of today's calendar, bills on third reading, be made a special order of business immediately in that order.

The motion was agreed to.

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, House Bill No. 1823, on page 20 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1823 as follows:

An Act to further amend subsection (i) of section four of the act, approved the eighteenth day of April, one thousand nine hundred foty-nine (P. L. 604), entitled "An

act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor in certain cases.

On the question,

Will the House agree to the bill on third reading?

Mr. PETROSKY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 4), page 4, line 10, by inserting after the word "aggregate" and before the word "and" the following: and in addition whenever the department has been or may be authorized by an Act of the General Assembly to build and operate any specific bridge tunnel or public highway the Authority without limitation as aforesaid may issue bonds of the Authority in such amount as the Secretary of Highways shall certify as necessary for defraying the cost of the construction of any such particular project or projects.

Amend Section 1 (Section 4), page 4, line 16, by striking out at the end of the line after the word "thereof" the following: and in addition whenever the depart-.

Amend Section 1 (Section 4), page 4, by striking out lines 17 to 19, inclusive.

Amend Section 1 (Section 4), page 5, by striking out lines 1 to 16, inclusive.

Amend Section 1 (Section 4), page 6, by striking out lines 1 to 3, inclusive, and inserting in lieu thereof the following:

Provided That no work on any bridge tunnel or public highway shall be commenced under these provisions until the Secretary of Highways certifies to the Governor that traffic conditions have created a need for said project.

For the purposes of this subsection (i) the term "cost of the construction" of any project or projects shall embrace the following.

(1) Obligations incurred for labor and to contractors builders and materialmen in connection with the constructino of any such project or projects for machinery and equipment and for the restoration of property damaged or destroyed in connection with such construction.

(2) The cost of acquiring by purchase any such project or projects and the cost of acquiring by purchase and the amount of any award or final judgment in any proceeding to acquire by condemnation such lands property rights rights of way franchises easements and other interests as may be deemed necessary or convenient in connection with the acquisition or construction of any such project or projects options and partial payments thereon and the amount of any damages incident to or consequent upon such acquisition or construction.

(3) The cost of acquiring any property real personal or mixed tangible or intangible or any interest therein necessary or desirable for the construction of any such project or projects.

(4) The principal and interest requirements upon any such bonds for the period during which and to the extent which the rentals received by the Authority from such project or projects shall be insufficient for the payment thereof the fees and expenses of the fiscal agent of the Authority in respect of such bonds during any such period and the reasonable fees and expenses of any paying agents for such bonds during such period.

(5) The taxes or other municipal or governmental charges (if any) lawfully levied or assessed during construction upon any such project or projects and premiums on insurance (if any) in connection with any such project or projects during construction.

(6) The cost and expenses of preliminary investigations to determine the feasibility or practicability of constructing any such project or projects and fees and expenses of engineers for making preliminary studies surveys reports estimates of costs and of revenues and other estimates and for preparing plans and specifications and supervising construction as well as for the performance of all other duties of engineers in relation to such construction or the issuance of bonds therefor and

(7) Expenses of administration properly chargeable to any such project or projects during construction legal expenses and fees financing charges costs of audits and of preparing and issuing such bonds and all other items of expense not elsewhere in this subsection specified incident to the construction of any such project or projects the financing thereof and the acquisition of lands property rights rights of way franchises easements and interests therefor including abstracts of title title insurance title opinions costs of surveys reports and other expenses in connection with such acquisition.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

The SPEAKER. The Chair lays before the House the next bill on special order fixed for this time, House Bill No. 1825 on page 22 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1825, as follows:

An Act to further amend subsection (i) of section four of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways

to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor in certain cases.

On the question,

Will the House agree to the bill on third reading?

Mr. PETROSKY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 4), page 4, line 10, by inserting after the word "aggregate" and before the word "and" the following: "and in addition whenever during the 1955-1957 and 1957-1959 biennia the Federal government apportions money to the Commonwealth for the construction reconstruction and improvement inclusive of necessary bridges and tunnnels of the federally-aided highways and the amount of money so apportioned necessitates the allocation of Commonwealth funds in excess of the amount allocated during the 1953-1955 biennium the Authority without limitation as aforesaid may issue bonds of the Authority in such amount as the Secretary of Highways shall certify as necessary for defraying the cost of the construction of such projects in an amount not exceeding the difference between the allocation of the Commonwealth in the 1953-1955 biennium and the allocation required in the 1955-1957 and 1957-1959 biennia to obtain the maximum of such Federal aid."

Amend Section 1 (Section 4), page 4, line 16, by striking out at the end of the line after the word "thereof" the following: "and in addition whenever during the".

Amend Section 1 (Section 4), page 4, by striking out lines 17 to 20, inclusive.

Amend Section 1 (Section 4), page 5, by striking out lines 1 to 18, inclusive.

Amend Section 1 (Section 4), page 6, by striking out lines 1 to 8, inclusive, and inserting in lieu thereof the following:

Provided That no work on any bridge tunnnel or public highway shall be commenced under these provisions until the Secretary of Highways certifies to the Governor that traffic conditions have created a need for said project

For the purposes of this subsection (i) the term "cost of the construction" of any project or projects shall embrace the following

(1) Obligations incurred for labor and to contractors builders and materialmen in connection with the construction of any such project or projects for machinery and equipment and for the restoration of property damaged or destroyed in connection with such construction

(2) The cost of acquiring by purchase any such project or projects and the cost of acquiring by purchase and the amount of any award or final judgment in any proceeding to acquire by condemnation such lands property rights rights of way franchises easements and other interests as may be deemed necessary or convenient in connection with the acquisition or construction of any such project or projects options and partial payments thereon and the amount of any damages incident to or consequent upon such acquisition or construction

(3) The cost of acquiring any property real personal or mixed tangible or intangible or any interest therein necessary or desirable for the construction of any such project or projects

(4) The principal and interest requirements upon any such bonds for the period during which and to the extent which the rentals received by the Authority from such project or projects shall be insufficient for the payment thereof the fees and expenses of the fiscal agent of the Authority in respect of such bonds during any such period and the reasonable fees and expenses of any paying agents for such bonds during such period

(5) The taxes or other municipal or governmental charges (if any) lawfully levied or assessed during construction upon any such project or projects and premiums on insurance (if any) in connection with any such project or projects during construction

(6) The cost and expenses of preliminary investigations to determine the feasibility or practicability of constructing any such project or projects and fees and expenses of engineers for making preliminary studies surveys reports estimates of costs and of revenues and other estimates and for preparing plans and specifications and supervising construction as well as for the performance of all other duties of engineers in relation to such construction or the issuance of bonds therefore and

(7) Expense of administration properly chargeable to any such project or projects during construction legal expenses and fees financing charges costs of audits and of preparing and issuing such bonds and all other items of expense not elsewhere in this subsection specified incident to the construction of any such project or projects the financing thereof and the acquisition of lands property rights rights of way franchises easements and interests therefor including abstracts of title title insurance title opinions costs of surveys reports and other expenses in connection with such acquisition

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

The SPEAKER. The Chair lays before the House the next bill on special order fixed for this time, House Bill No. 1311 on page 13 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1311 entitled:

An Act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes conferring powers and imposing duties on local officers and the Department of Highways and making an appropriation out of the Motor License Fund

On the question,

Will the House agree to the bill on third reading?

Mr. STANK. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend first Whereas Clause, page 2, line 3 of Whereas Clause, by striking out "and" and inserting in lieu thereof "therefore."

Amend Sec. 5, page 14, line 3, by striking out "June" and inserting in lieu thereof "January of the year for which the allocation is made."

Amend Sec. 6, page 14, line 16, by inserting after "municipalities" "by this act and by the act of September 3, 1955 (Appropriation Act No. 18-A)."

Amend Sec. 6, page 15, lines 6 to 9, by striking out all of said lines.

Amend Sec. 9, page 16, line 19, page 17, lines 1 to 10, by striking out all of line 19 on page 16, all of lines 1 to 9 and "(3)" in line 10 on page 17, and inserting in

lieu thereof "(1) Submit certified reports on forms furnished by the department showing that the money appropriated will be or has been spent in accordance with the provisions of this act, (2)."

Amend Sec. 9, page 18, line 2, by striking out "(4)" and inserting in lieu thereof "(3)".

Amend Sec. 9, page 18, line 3, by inserting after "A" "general or special."

Amend Sec. 9, page 18, line 3, by inserting after "tax" "the proceeds of which are specifically earmarked in whole or in part".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

On the question,

Will the House agree to the bill on third reading as amended?

Messrs. MOSCRIP, STROUP, BANKER and TOMPKINS. Mr. Speaker, we ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 4, page 13, line 4, by striking out "Fifty-five" and inserting in lieu thereof "Sixty."

Amend Sec. 4, Page 13, line 12, by striking out "Forty-five" and inserting in lieu thereof "Forty.'

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. MOSCRIP. Mr. Speaker, I would like to make a brief statement on behalf of this amendment which has just been offered.

In order to do that we must look at the background of this matter that is before us now, which is the regular appropriation or allocation, whichever you wish to call it, for our rural roads.

Traditionally the policy has been to help the roads in the rural areas, in other words, those roads of districts and municipalities that are least able to help themselves. Examination of this will show that the funds for maintenance constitute one of the biggest items in the road budget for a rural township, which is usually second class,

It is also valuable to keep in mind that one of the reasons for this money having to be appropriated for this purpose is that these roads run through a lot of wasteland, land of low volue. In many cases the land along these roads could be sold and the total proceeds you would receive would not pay the price of building the road. But, nevertheless, the municipal officers are under a legal duty to keep these roads open and to keep them passable, and also from the moral standpoint, in order to enable our rural people to reach more populated areas.

This amendment is designed to correct what I consider a basic inequity in House Bill 1311. Under the formula of 55/45, as you know, the item 55 applies to the weight to be given mileage, 45 applies to the ratio to be given population.

It is true that under this bill generally an increase in the total funds received by a municipality will be affected. They will receive more dollars. The township officers are also achieving a point for which they have been fighting for some time and that is a specific allocation of the funds realized from the so-called gasoline tax. However, an examination of the mechanics of this bill will show that under various provisions of the bill and the amount of money which will be raised by the bill it is very possible for a township to end up with less money for maintenance under this bill than it is receiving under existing legislation. As I have pointed out before, maintenance is the big item in the road budget for a rural municipality.

It has also been pointed out that the second class townships of the state will show a certain percentage of increase. This figure varies, but the lowest of those figures is 19-20 per cent increase in total sums received by second class townships.

Mr. Speaker, this is an average figure. You will find a great many second class townships throughout the rural areas of our Commonwealth who are away below this average figure. I have taken the trouble to make a study on some figures based on the theory that the 20 per cent which is allocated here will in the first year produce about $24.5 million and find, for instance, that Albany township in my own county will only have a 2 per cent gross increase in funds actually received, that Albany township in Berks County, for instance, will receive only 13 per cent gross increase, Millstone Township in Elk County will receive about 10 per cent, Union Township in Fulton County about 12 per cent, Abbot Township in Potter County about 10 per cent, and Davidson Township in Sullivan County about 15 per cent.

Applying the provisions of this bill, you will also find that all of these townships I have mentioned will receive less money for maintenance than they are presently receiving because under the provisions of the bill a certain percentage of the funds received must be used for construction and reconstruction.

Therefore, I have offered these amendments to raise the ratio from 55/45, as proposed to 60/40, which is the present ratio under which our appropriations to the municipalities is operating.

As I say, this is a bill that was originally and traditionally designed for the rural areas due to the fact that we are scattered. This we need. Perhaps you may call it special legislation, but it is a condition peculiar to our rural areas, and roads are the backbone of our existence in the rural areas.

Even if this 60/40 change went through, it is true it might well mean less money for the cities, but even under the 60/40 ratio I am advised that Philadelphia will receive upwards of $900 thousand in increased funds. The change will, of course, give more weight to the mileage factor.

It will help our second class townships so that they get more money, and for that reason I ask the support of the Members of the House for this amendment.

Mr. PETROSKY. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from Bradford, Mr. Moscrip, and fully recognize the import of the amendments that he was referring to on the several political subdivisions he cited would be such as he spoke of, a very minimum increase. However, his percentages of

increases that he refers to and averages for the monies to be received under this legislation in the various political subdivisions throughout the state is grossly in error. He must recognize that the townships, the second class townships specifically, will receive an over-all 50 per cent increase under this legislation.

I believe that we should debate this matter at great length, if necessary, on third reading and final passage of this legislation. The amendments that he propose were fully discussed. This matter of returning the fuel monies to the municipalities has been deliberated at great length since February of this year, and the formula which we are now proposing to this House is one that has been arrived at after careful consideration in trying to correct all the inequities that had existed under previous legislation in allocating these funds.

Your second class townships under the 55/45 formula will receive 52.39 per cent of the monies, which is over fifty per cent increase of prior allocations which amounted to in the neighborhood of $10 million for second class townships and which will now amount to over $15 million for second class townships.

This, in effect is sufficient argument for us to recognize a proper and equitable formula that has been written into this road legislation and, as I said earlier, a full discussion of the bill on final passage will be had before the House. I ask all the Members of the House, the Members on the Republican side and the Members on the Democratic side, to vote against the amendment offered by the gentleman from Bradford, Mr. Moscrip.

Mr. ISAACS. Mr. Speaker, I am going to ask you to bear with me for a minute because I realize that possibly I am going to be out of order.

Originally I had intended to interrogate the sponsor, or one of the sponsors, of this bill on third reading to ask him certain questions. The administration has offered amendments to the measure, which amendments I have not had a chance to study and with which I am not familiar. On top of that, the gentleman from my side of the House, Mr. Moscrip, has offered further amendments.

There are certain people back in my county who are very much interested in this measure, but I admit to the Members of this House that with two sets of amendments being offered, one of which I have heard and the others with which I am unfamiliar, I am in a state of confusion.

I suppose if I try to debate the bill at this point I would be out of order. I had intended to debate it, so I presume, Mr. Speaker, the best thing I can do is to sit down and wait until I see the first set of amendments and debate the bill on third reading, together with interrogating the sponsor.

However, I am put in the position now where I must vote on the amendments offered by the gentleman from my side of the House and, as I said before, I am at this point rather in a state of confusion.

Mr. MOSCRIP. Mr. Speaker, I do not wish to confuse this issue with a lot of figures. They can be reeled off here by the pageful. However, in all fairness in reply to Mr. Petrosky, while it is true the second class townships will receive over 50 per cent of the total monies allocated under this program, I think the pertinent question to be looked at is how much of the increase we have worked to achieve.

The figures that I have available show that at the present time second class townships under existing legislation have available for them a total potential of upwards of $10 million. Under the new bill they will receive something in the neighborhood of $12,800,000—plus, but the key question, as I see it, is how much of the increase they will get. There will be a statewide increase in these funds, as I see it, of a little over 36 per cent. When you compare the amount of the increase coming to the second class townships, there is where you find what I believe is the inequity, and one of the corrective measures to be taken is to amend the formula to help our sparsely settled districts more.

Mr. PETROSKY. Mr. Speaker, since the gentleman from Bradford, Mr. Moscrip, has brought up the 12 million figure and since that figure has been bandied around by certain irresponsible people in delivering their message throughout the state of Pennsylvania, I think the thing should be clarified at this time. Possibly for the information of the gentleman from Delaware, Mr. Isaacs, his position on the amendments should be clarified and pinpointed much in this respect.

The $12 million figure that is to be allocated to the townships under this legislation that the gentleman from Bradford speaks about, Mr. Speaker, is erroneous. It is a statement that is deliberately being put out to the public in an effort to scuttle one of the finest home rule programs that has ever been placed on the floor of this House The figure is upwards of $15 million that will go into the fund, and that will be brought out in full in debate on final passage.

For the information of the gentleman from Delaware, I know he is primarily concerned with first class townships, and in the event this amendment of the gentleman from Bradford, Mr. Moscrip, would prevail upon the floor of this House, the percentage of increase to the first class townships would be 5.02 per cent. Under the present formula proposed in House Bill 1311, upon which we stand, the percentage of increase in return of monies to those municipalities would be 5.41 per cent. That may enlighten him as to what position he should take upon the amendment that has been offered by the gentleman from the other side.

As I said earlier, this bill is set up so as to correct the glaring inequities that have prevailed in prior legislation of this nature in Pennsylvania.

I sumbit to the Members of the House that we have a good formula, one that has been agreed to by the people that were really concerned and interested in this program throughout this state in eight months of deliberations. I ask again that the Members of the House recognize this, recognize that the 60/40 basis would create havoc and possibly tend to have the people who are interested in this program endeavor to write off that and bring the bill back to its original form, which was at the time a 50/50 allocation as to mileage and population.

Members of the House, I ask you to vote down the amendments offered by the gentleman from Bradford, Mr. Moscrip.

Mr. MOSCRIP. Mr. Speaker, I would like to make just one point for the clarification of Mr. Petrosky. Whether it is a home rule bill or what it is, my motives in rising were only because of a genuine concern for the second

class townships, particularly in my county and in the state of Pennsylvania.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. MOSCRIP, BANKER and TOMPKINS and were as follows:

YEAS 75

Agnew,	Gibb,	Leisey,	Steckel,
Ashton,	Gibson,	Light,	Stephens,
Banker,	Gramlich,	Magee,	Stevenson,
Bell,	Guthrie,	Mahan,	Stoner,
Bower,	Haudenshield,	Markley,	Strausser,
Breisch,	Helm,	McCann,	Stroup,
Brenninger,	Henzel,	McInroy,	Tompkins,
Brown,	Hewitt,	Metz,	Toomey,
Curwood,	Hocker,	Moody,	Varner,
Davis,	Horst,	Moscrip,	Wall,
Donahue,	Houk,	Murray, H. P.,	Weidner,
Donaldson,	Johnson,	Pacchioli,	Wescott,
Down,	Kehler,	Parry,	Willaredt,
Ehrgood,	Keller,	Polen,	Williams,
Eshleman,	Kent,	Price,	Wood
Ewing,	Knecht,	Pursley,	Worley,
Flynn,	Kooker,	Reibman,	Yetter,
Frost,	Kratz,	Renwick,	Young,
Garlock,	Kromer,	Royer,	

NAYS 115

Adam,	Frank,	Meholchick,	Rudisill,
Amarando,	Frascella,	Mihm,	Sarraf,
Anderson, M. S.,	Gaffney,	Mikula,	Scarcelli,
Anderson, S. A.,	Gelfand,	Miller,	Schuster,
Auker,	Goldstein,	Mills,	Sherman,
Barnatovich,	Guss,	Monroe,	Sigman,
Bazin,	Hamilton, R. K.,	Moran,	Smith, C. C.,
Blair,	Hamilton, W. H.,	Muldowney,	Smith, Wm. B.,
Boles,	Holt,	Mullen,	Snider,
Bonner,	Isaacs,	Munley,	Stank,
Boory,	Jenkins,	Murphy,	Stebbins,
Branca,	Jones, G. E.,	Murray, J. J.,	Stone,
Brennan, A. P.,	Jones, T. H. W.,	Musto,	Swartz,
Brennan, J. J.,	Jump,	Needham,	Taylor,
Breth,	Kamyk,	Ogilvie,	Thomas,
Bucchin,	Kolankiewicz,	Olsen,	Thompson,
Bullen,	Kornick,	O'Neil,	Toll,
Capano,	Kubacki	Pashley,	Varallo,
Cianfrani,	Leiby,	Paulhamus,	Vaughan,
Cioffi,	Leven,	Petrosky,	Verona,
Cochran,	Limper,	Pettigrew,	Wallace,
Connelly,	Lippincott,	Polaski,	Walsh,
Dougherty,	Loprestl,	Pomeroy,	Wargo,
Eilberg,	Lovett,	Readinger,	Welsh,
Erb,	Maxwell,	Reidenbach,	Whitenight,
Filo,	McCormack,	Rigby,	Yetzer,
Flint,	McKeever,	Rosen,	Ziegler,
Floyd,	McLaughlin,	Rovansek,	Andrews,
Foster,	McWherter,	Rubin,	Speaker

NOT VOTING 19

Comer,	Greenwood,	Lawyer,	Naugle,
Cooper,	Hass,	Leonard,	Waterhouse,
Farabaugh,	Heavey,	Lutty,	Wheeler,
Fineman,	Kline,	McGee,	Wilt,
George,	Lafore,	Murray, P. G.,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring.

Will the House agree to the bill on third reading as amended?

Messrs. STROUP, MOSCRIP, TOMPKINS and BANKER.

Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 3, page 12, line 6, by striking out "TWENTY" and inserting in lieu thereof "twenty-five."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to theamendment?

Mr. STROUP. Mr. Speaker, I realize you are very weary of listening to amendments on House Bill 1311. However, if you will bear with me for just a few moments, I believe I will be able to call your attention to sufficient factors which merit your close attention. I ask the privilege of your attention, ladies and gentlemen, first, to present our reasons, and I have co-sponsors on this amendment to House Bill 1311, and, second, in order to explain the effect of the amendment on this bill.

I understand that we have about 100,000 miles of public roads and streets in Pennsylvania. Of that amount of roads, of that mileage, we have 41,100 miles of state highways, 5,883 miles of city streets, 6,050 miles of borough streets, 760 miles of country roads, 2,263 miles of first class township roads and 44,798 miles of second class township roads.

I call your attention, ladies and gentlemen, to Governor Leader's speech of September 27th before our Legislature at which time he said, and I believe I quote correctly and exactly:

> "It can hardly be necessary to emphasize the importance of the state highway system to its economy, to its living standards, and to the desires of its people. There can be no argument as to the need; no phase of our public work has more nearly unanimous support."

Ever since the Governor took office last January, indeed prior thereto, I think we can be postitive in saying he has promised our political subdivisions particularly in our rural areas, an increase in highway appropriations of approximately $30 million.

In his various television appearances and in his public addresses before various audiences in the state of Pennsylvania, and particularly in Independence Hall last June, Governor Leader definitely promised to the political subdivisions the sum of $30 million.

Referring to his address before this House on September 27th, I quote:

> "In all, the municipalities should receive about $60,000,000 in the biennium from the State's collection of the liquid fuels tax. This is an increase of $24,000,000."

This amendment which I have submitted along with several co-sponsors has been brought to your consideration because Section 3 of the bill does not provide $30 million to the political subdivisions as has been guaranteed by our Governor and by this administration. The amendment which I offer to you and ask you to give thorough consideration to ladies and gentlemen enures to the benefit of all the municipalities of our Commonwealth. There is no discrimination in this amendment whatsoever.

If I may have your close attention, I will ask you to take the Department of Revenue figure accepted by all, which shows that one cent of gasoline tax in 1955 brought in $27,300,000. That is our basic figure.

Section 3 as presently constituted in the bill provides 20 per cent of four and one-half cents of gasoline tax as a permanent allocation to all political subdivisions. If you will take your pencils my friends and multiply $27,300,000,

the one per cent receipt, by four and one-half cents, you will get $122,850,000 each year. If you divide that figure by 20 per cent, or one-fifth, you find that you have $24,500,000 being allocated to the local political subdivisions each year, not the $30 million which has been guaranteed.

This amendment which I offer changes the proportion of the allocation from the 20 per cent to 25 per cent, thereby allocating to the political subdivisions the sum of $30,712,000. This is the amount which was promised to our people by the Governor, this is the amount which was promised to the people by the administration, and this is the amount which Secretary Lawler, over a letter which I hold in my hand, promised to the political subdivisions just last week, and I read:

> "Because of the numerous queries posed to the Department of Highways on proposed highway legislation, particularly House Bills 1311 and 1824, we deem it imperative to submit to each political subdivision of the state a very brief summary of this proposed legislation."

And now listen closely:

"Under existing law, 18 million dollars is returned to the local communities by the State for highway and street purposes. If House Bills 1311 and 1824 are enacted into law, the amount returned to the communities would be increased to approximately 30 million dollars per year."

Ladies and gentlemen, that is exactly what the amendment now offered to House Bill 1311 accomplishes. Our people over this state in all our municipalities excepted it, they have been relying upon it, and I am asking you to vote for it. We ask you to vote for the amendment which permanently assures, and understand that word "permanently" because that is a beautiful part of this entire bill, to all municipalities this $30 million instead of the $24,500,000.

Mr. Speaker, if you please, I will ask for a roll call on this amendment.

Mr. PETROSKY. Mr. Speaker, at the outset I would like to say to the gentleman from Bedford, Mr. Stroup, that I am in sympathy with his amendments. I have demonstrated that in the past on the floor of this House, not only in voting for the various grants and ollocations that were returned to the local political subdivisions, but if you will look into the record you will also observe that I also voted for the tax measures that afforded these funds to be allocated to local political subdivisions. However, at this time, I must oppose this amendment and ask the membership on both sides of the House to oppose this amendment.

The gentleman speaks about House Bill 1311 containing only $49 million for the biennium for return to the local political subdivisions for road purposes, he is in error, Mr. Speaker, for under this figure we are allocating $49 million and taking 20 per cent of the four and one-half cents of the gasoline tar.

We also take into consideration that we are including $10 million of Appropriation Act 18-A, and amendments which I will offer in a short while to this House will clarify the section to a degree that it will be spelled out. You know at the outset of this session we said to you there would be no smokescreens, we would not have government as usual as it was operated in the past, but that we would have government operated out in the open and every figure would be disclosed to the press and the public to show what this administration has done.

Under House Bill 1311 there will be $60 million for distribution. The accelerated pace of collections from year to year in the revenues received from the fuel tax show that there will be approximately $50 million, or slightly more, from the increases we have noted from year to year in those collections. We have $10 million that we will allocate under Appropriation Act 18-A which has come from the one cent emergency fuel tax, from which source $30 million was to go for the disaster in the flood areas for the state highways and bridges, $15 million to the local municipalities who suffered in the disaster from that hurricane and flood and the remaining $10 million would be allocated under the allocation system of existing law to the municipalities.

Mr. Speaker, I submit to this House, we carry no suspicious factors in any legislation that we propose. This is the first time in the history of this Commonwealth that we are setting up a permanent allocation system of a home rule program for the local municipal subdivisions. The Governor said there would be $60 million in the legislation, there is $60 million in the legislation.

Inasmuch as I would like to go further, however, the commitments of the program of the Highway Department and the respective circumstances surrounding the conditions which we found the Department in just give us enough leeway to give to the local political subdivisions $60 million at this time and we cannot extend it to $72 million.

I wonder where these voices were, whether they were crying in the wilderness in prior sessions, when we found that the allocations granted to the local political subdivisions were so meager that it took a last-ditch fight to get an additional $2 million in the last session of the General Assembly.

Mr. Speaker, I submit to you that we cannot go along with the additional increase of $12 million at this particular time. I would like the Members on both sides of the House to vote against this in line with good government in the highway departments of both the state and the local municipalities.

Mr. STROUP. Mr. Speaker, I ask for just a moment to consider Mr. Petroskys remarks.

In the first place, it should be pointed out, it seems to me, and I do not believe Mr. Petrosky intended to eliminate or to ignore that fact, that the $10 million from 18-A is but a temporary allocation, it is not on a permanent allocation basis. After the two year period in 1957 it no longer becomes a part of this bill and you are limited to 20 per cent of four and one-half cents, or $24,500,000 each year. This is a permanent bill, I am asking you to make it permanent.

In the second place, there has been no charge, I am sure, of any suspicious element. In so far as this bill is concerned, this is an excellent bill. It is quite a step forward and we are very heartedly in favor of it, but all we ask you to do is to give us what you told us you would give us. I have talked to great numbers of people in the second class townships in various meetings and they are asking for and they need this money, and you need it in the cities.

I do not like to take too much time here, but I could produce figures for you which would very definitely show that with the amount of money from this six cents that you are getting now in gasoline tax and the projected possibility of tax under your excise tax bill, which you are so gently pressing and easing through this House, it would seem to me that you are going to have a considarable sum of money in the highway fund. As a matter of fact, when you are finished with the one-half cent to the counties when you are finished with the $27,300,000, one cent of which goes to the flood relief, and if it goes to $30 million you will still have somewhat of an overage, and when you give the $24,500,000 here, you will have only spent an allocation of $65,520,000, leaving an over-all balance in the highway fund of $105 million. I feel very positive that the Highway Department can afford to give us this additional $6 million.

Mr. PETROSKY. Mr Speaker; for the purpose of the record and to reply to the references of the gentleman from the other side of the House as to the permanent allocation set up in this bill, I want to say that the Members on this side in this administration at the time when it becomes necessary will have the courage to go forward and amend the bill to provide those additional monies.

I believe that I have shown at this time by what is facing us in the over-all highway program of this administration that we cannot allocate the additional $12 million. But rest assured we will not hide from anything, we will amend the bill at the proper time and insert the additional monies to have the bill comply with the $60 million on a permanent basis after the one cent emergency tax has expired.

We believe in that type of government, we believe in taking a forthright position, and we have the courage to carry it out.

I again ask the Members of the House to vote against the amendment at this time.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. STROUP, MOSCRIP and TOMPKINS, and were as follows:

YEAS—77

Agnew,	Gibson,	Kratz,	Reibman,
Ashton,	Goldstein,	Kromer,	Royer,
Auker,	Gramlich,	Leisey,	Smith, C. C.,
Banker,	Greenwood,	Light,	Steckel,
Bell,	Guthrie,	Lippincott,	Stevenson,
Blair,	Hamilton, W. H.,	Magee,	Stoner,
Bower,	Haudenshield,	Mahan,	Stroup,
Breisch,	Helm,	Markley,	Thompson,
Brenninger,	Henzel,	McInroy,	Tompkins,
Brown,	Hewitt,	Metz,	Toomey,
Connelly,	Hocker,	Miller,	Varner,
Davis,	Horst,	Moody,	Vaughan,
Donahue,	Houk,	Moscrip,	Wall,
Donaldson,	Isaacs,	Murphy,	Weidner,
Ehrgood,	Johnson,	Murray, H. P.,	Wescott,
Eshleman,	Kehler,	Ogilvie,	Wood,
Ewing,	Kent,	Parry,	Worley,
Foster,	Knecht,	Price,	Yetzer,
Frost,	Kooker,	Pursley,	Young,
Gaffney,			

NAYS—99

Adam,	Frank,	McLaughlin,	Sarraf,
Anderson, M. S.,	Frascella,	McWherter,	Scarcelli,
Anderson, S. A.,	Garlock,	Meholchick,	Schuster,
Barnatovich,	Gelfand,	Mihm,	Sherman,
Bazin,	Guss,	Mills,	Smith, Wm. B.,
Boles,	Hamilton, R. K.,	Monroe,	Snider,
Boory,	Hass,	Moran,	Stank,
Branca,	Holt,	Muldowney,	Stebbins,
Brennan, A. P.,	Jenkins,	Mullen,	Stephens,
Brennan, J. J.,	Jones, G. E.,	Munley,	Swartz,
Breth,	Kamyk,	Murray, J. J.,	Taylor,
Bucchin,	Kolankiewicz,	Musto,	Thomas,
Capano,	Kornick,	Needham,	Toll,
Cianfrani,	Kubacki	Pashley,	Varallo,
Cioffi,	Leiby,	Paulhamus,	Verona,
Cochran,	Leonard,	Petrosky,	Wallace,
Comer,	Leven,	Pettigrew,	Walsh,
Curwood,	Limper,	Polaski,	Wargo,
Dougherty,	Lopresti,	Polen,	Welsh,
Eilberg,	Lovett,	Readinger,	Whitenight,
Erb,	Maxwell,	Reidenbach,	Williams,
Filo,	McCann,	Renwick,	Yetter,
Flint,	McCormack,	Rosen,	Ziegler,
Floyd,	McGee,	Rovansek,	Andrews,
Flynn,	McKeever,	Rudisill,	Speaker

NOT VOTING—33

Amarando,	Heavey,	Mikula,	Rubin,
Bonner,	Jones, T. H. W.,	Murray, P. G.,	Sigman,
Bullen,	Jump,	Naugle,	Stone,
Cooper,	Keller,	Olsen,	Strausser,
Down,	Kline,	O'Neil,	Waterhouse,
Farabaugh,	Lafore,	Pacchioli,	Wheeler,
Fineman,	Lawyer,	Pomeroy,	Willaredt,
George,	Lutty,	Rigby,	Wilt,
Gibb,			

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON SECOND READING

Agreeable to order,

The House proceeded to the second reading and consideration of House Bill No. 1491, entitled:

An Act requiring the office of register of wills and the office of the prothonotary in cities of the first class to be closed on Saturdays for the transaction of business and authorizing certain actions to be performed in that office on the day succeeding the day required by law

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeable to order,

The House proceeded to the second reading and consideration of House Bill No. 1775, entitled:

An Act amending the act of August 5, 1941 (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" further regulating provisional appointments

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeable to order,

The House proceeded to the second reading and consideration of House Bill No. 1776, entitled:

An Act to further amend section two hundred five of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by restoring the director to the classified service

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. STANK. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1777, entitled:

An Act to further amend the act aproved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further defining the powers of the Department of Property and Suplies relating to automobiles

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1795, entitled:

An Act to further amend the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by increasing the investment powers of State administrative departments boards commissions or officers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 541, entitled:

An Act amending the act of March 31 1949 (P. L. 372) entitled "An act to promote the welfare of the people of the Comonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" authorizing the sale transfer and conveyance of property or interest therein.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILL

Mr. READINGER asked and obtained unanimous consent to extend the time five days on House Bill No. 257, Printer's No. 679, on page 10 of today's calendar, bills on final passage postponed.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which read as follows:

In the Senate, November 21, 1955.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene Monday, November 28, 1955 at 3:30 o'clock p. m. EST, and when the House of Representatives adjourns this week it reconvene (Monday, November 28) Wednesday, November 30, 1955, at a time to be fixed by the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. CAPANO from the Committee on Judiciary, reported as committed, House Bill No. 1738, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor

and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions: and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," providing for Commonwealth ownership of patentable matters developed in State institutions.

Mr. PRICE from the Committee on State Government, reported as committed, House Bill No. 1821, entitled:

An Act authorizing the Department of Welfare to enter into an agreement with the City of Philadelphia; granting a license to the city to construct and maintain a sanitary and storm drainage right-of-way in, over and under the grounds of the Phialdelphia State Hospital.

PERMISSION TO ADDRESS HOUSE

Mr. GIBSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I observe there is considerable difference in the ages of the members of the Senate and the Members of the House in the date set for convening next week. Also, recognition of that age and the number of doe licenses that we sold in Warren County, must have been taken into consideration because the deer season opens next Monday.

The SPEAKER. This House is always inclined zealously to serve the interests of the deer season in Warren County.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a former Member, Honorable Chester A. Mohn of Berks County.

REPUBLICAN CAUCUS

Mr. CHARLES C. SMITH. Mr. Speaker, if we are going to recess at this point for approximately an hour, I would like to inform the Minority Members, the Republican Members, that there will be a caucus immediately. They are to come up to the caucus as soon as possible in the old House Caucus Room.

The SPEAKER. For what length of time does the Majority Leader desire a recess?

Mr. READINGER. One hour. May I state, Mr. Speaker, that the Democratic Members should enjoy themselves for the next hour.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour. The Chair hears none.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILL INTRODUCED AND REFERRED

By Messrs. DAVIS and GOLDSTEIN.

HOUSE BILL No. 1903.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting the interception of jury deliberations and prescribing penalties.

Referred to the Committee on Judiciary.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. KRATZ. RESOLUTION No. 128.

In the House of Representatives, November 22, 1955.

The public schools and taxpayers of the Commonwealth of Pennsylvania are saddled with an outmoded, depression born compulsory school age law, designed to keep youth off the labor market and streets.

The results of the compulsory school age law have brought an uncalculated burden upon the taxpayers of the Commonwealth.

Evidence at hand shows far too many youth of today, both male and female, attending school regularly or irregularly who refuse to be interested in instruction offered them, however modern the methods of presentation may be; have reached the end of their tested learning span; have been devoting too many after school hours in the pursuit of youthful gangster activities; prevent, when present in school, because of hoodlum behavior, learning by those in their classes willing to learn; and prove by such actions or their inability to learn, that they are knowingly or unknowingly occupying needed and expensive school building space and requiring unwarranted attention of costly school personnel; therefore be it

Resolved, That in preparation for the legislative year 1957, the Joint State Government Commission shall conduct a State wide investigation of the above problems to determine:

(1) How many male and female pupils now attending the Commonwealth's high schools have reached the end of their academic learning span or are below the accepted intelligence standards to do acceptable high school work leading to an honestly earned and awarded diploma.

(2) How many male and female pupils now attending the Commonwealth's high schools are merely putting in time until of the age which will under the depression compulsory school age law permit them to leave.

(3) How many disciplinary problem pupils are in the Commonwealth's public high schools, presenting unsolvable problems for teachers and administrators, due to the outmoded school age law. yet requiring teachers for attempted instruction, school facilities and in some instances police protection for law abiding pupils forced to attend the same schools; and be it further

Resolved, That the Joint State Commission in its report to the General Assembly outline its recommendations for enactment of laws covering the following:

(1) Reconsideration of the present compulsory school age law in terms of today's data concerning ability to learn on the part of pupils, willingness to learn, disciplinary problems presented by them and changes needed to remedy these problems for the schools.

(2) Estimate the total cost to the State and local communities in terms of teachers' salaries, building facilities, materials and supplies which under the present law must be expended annually on the uneducable and unwilling to learn in our schools.

(3) A system of apprenticeship to industry to begin at a determined age or at end of the ninth grade when above tendencies of unwillingness to learn, end of learning span has set in, or discipline problems develop, instituted with the cooperation of industry, labor unions and educators, and in no way designed to provide underpaid youthful labor to industry in competition with adult, union wage labor.

Referred to the Committee on Rules.

By Messrs. AUKER, FILO, WILLIAM B. SMITH and BANKER. RESOLUTION No. 129.

In the House of Representatives, November 22, 1955.

The issuing of licenses and tags for the hunting and

killing of antlerless deer is a matter of great concern to all sportsmen as well as to the general public.

The Pennsylvania Game Commission is given considerable power in determining the number of antlerless deer to be killed each year and regulates the number of licenses and tags to be issued.

The House of Representatives requires for its use information concerning the equitableness and fairness of the method of issuing licenses and tags for the hunting and killing of antlerless deer; therefore be it

Resolved, That the Conservation and Wildlife Committee of the House of Representatives be directed to study and investigate:

(1) The present method of issuing hunters' licenses and tags for antlerless deer.

(2) Restrictions that should be imposed on Commonwealth agents with respect to the issuance of hunters' licenses and tags for antlerless deer to out-of-state residents, out-of-county residents and residents of counties wherein the killing of antlerless deer is authorized.

(3) The feasibility and advisability of issuing licenses and tags for periods of one, two or three years and the assignability of such special licenses and tags when the holder thereof is ineligible to hunt antlerless deer because he has killed a male deer.

(4) Methods of issuing hunters' licenses and tags so as to insure equitable and fair distribution thereof among the many resident and non-resident hunters; and be it further

Resolved, That the committee report to the Pennsylvania Game Commission its findings and recommendations; and be it further

Resolved, That, if the committee is of the opinion that legislation is necessary to accomplish its recommendations, it report to the House of Representatives as soon as possible, its findings and recommendations, together with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

By Mr. KOLANKIEWICZ. RESOLUTION (Not Printed).

In the House of Representatives, November 22, 1955.

On November 21, 1955, another important event in the history of the Holy Family College took place, to wit, the dedication of the college by His Excellency, the Most Reverend John F. O'Hara, C.S.C., D.D.

The History of Holy Family College has been made, in the main, by the constant and unrelenting work and prayers of the Sisters of the Holy Family of Nazareth.

After many years of hard work and planning, on September 2, 1952, permission was granted by the Archdiocese of Philadelphia to the Sisters of the Holy Family of Nazareth for establishing and building a new college. On January 31, 1953 an application for a charter was filed with the State Council of Education, and on September 4, 1953, the use of the name "Holy Family College" was approved by the State Council of Education.

A charter was granted to Holy Family College on February 11, 1954 and a month later ground was broken for the new building of the school. At about the same time, St. Mary's residence hall for college students, was acquired.

Opening of the first full-time academic year occured on September 28, 1954 with 22 girls and a faculty of 5 Sisters, one priest, one layman and two laywomen. On February 27, 1955, the laying of the cornerstone was held in a private ceremony and on May 31, 1955, the first issue of the college school paper, The TRI-LITE, was published

Opening of the second academic year in the new building, with 44 students, took place on September 27, 1955, which was followed by the solemn religious dedication of the Holy Family College on the Feast of the Presentation of the Blessed Virgin Mary, November 21, 1955.

Holy Family College is conducted by the Sisters of the Holy Family of Nazareth at Torresdale, Philadelphia, Pennsylvania. The President of the College is Reverend Mother M. Neomisia, and the Dean, Reverend Sister M. Florence. The great sacrifices, hard work and prayers of the Sisters of the Holy Family of Nazareth has borne fruit and will undoubtedly continue in the future; therefore be it

Resolved, That the House of Representatives commend the Sisters of the Holy Family of Nazareth for the many years of unselfish and outstanding work in the field of religion, Catholic education and Catholic action and for the building of the Holy Family College; and be it further

Resolved, That copies of this resolution be forwarded to His Excellency, the Most Reverend John F. O'Hara, Archbishop of Philadelphia, to Reverend Mother M. Neomisia, President of the College and to the Dean, Reverend Sister M. Florence.

Referred to the Committee on Rules.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 1768

Mr. TOLL, Mr. Speaker, I move that the vote by which House Bill No. 1768, Printer's No. 1925, entitled:

An Act regulating settlement of labor disputes between public utility employers and their employes, and providing the procedure therefor; repealing certain acts

was defeated on final passage Friday, October 14, 1955, be reconsidered.

Mr. KOLANKIEWICZ. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Toll vote on the final passage of this bill?

Mr. TOLL. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Kolankiewicz vote on the final passage of this bill?

Mr. KOLANKIEWICZ. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. TOLL. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1630, Printer's No. 1045, together with the communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1630.

An Act amending the act of May 1 1929 (P L 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the

highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating registration of antique motor vehicles

With the information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 5, page 7, line 7, by striking out after the word "be" the words "five ($5.00) dollars" and inserting in lieu thereof the words "twenty ($20.00) dollars."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1089, as follows:

An Act amending the act of May 7 1921 (P L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" defining and providing for the establishment maintenance and the amount of and use of unearned premium reserves the release of unearned premiums reserves for unpaid losses and loss expense and the investment of reserve funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 690 691 692 693 and 694 act of May 17 1921 (P. L. 682) known as "The Insurance Company Law of 1921" added July 1 1937 (P. L. 2540) are repealed

Section 2 The act is amended by adding after section 689 five new sections to read

Section 690 Establishment and Maintenance of Unearned Premium Reserve (a) Each company having the powers of a title insurance company as defined in section 685 of this act shall in addition to other reserves establish and maintain a reserve to be known as the "unearned premium reserve" for title insurance which shall at all times for all purposes be deemed and shall contstitute the unearned portions of the original premiums and shall be charged as a reserve liability of such company in determining its financial condition

(b) The unearned premium reserve shall be retained and held by such company for the protection of the policyholders' interest in policies which have not expired Except as provided in section 691 of this act assets equal to the amount of such reserve shall not be subject to distribution among depositors or other creditors or stock-holders of such company having the powers of a title insurance company as defined in section 685 of this act until all claims of policyholders or holders of other title insurance contracts or agreements of such company have been paid in full and all liability on the policies or other title insurance contracts or agreements whether contingent or actual has been discharged or lawfully reinsured Income from the investment of the amount of such reserve shall be the unrestricted property of the company

Section 691 Amount of Unearned Premium Reserve Release of Earned Premium (a) The unearned premium reserve of every company having the powers of a title insurance company as defined in section 685 of this act shall be cumulative and shall consist of

(1) The amount of the reinsurance reserve fund title reserve fund and title reserve held or which should have been held as of the effective date of this act pursuant to or under permission granted by any prior act of assembly and

(2) The amount of all additions required to be made to such reserve by this section less the withdrawals therefrom as permitted by this section

(b) Except as otherwise provided in this subsection every company having the powers of a title insurance company as defined in section 685 of this act shall add to its unearned premium reserve in respect of each policy or contract or reinsurance agreement issued by it a sum of money out of its receipts from the fees for such title insurance made by it net of all reinsurance applicable thereto a sum equal to one dollar for each such policy or contract or agreement plus ten cents for each one thousand dollars ($1,000) face amount of retained liability and shall each year separately record the amounts so set aside in respect of policies contracts or agreements written in such year but if substantially the entire outstanding liability of any such company shall be reinsured then the unearned premium reserve of the reinsurer shall be equal in amount to the reserve of the ceding company in respect of such outstanding liability so reinsured

(c) The amounts set aside as additions to the unearned premium reserve shall be deducted in determining net profits of any company having the powers of title insurance company as defined in section 685 of this act

(d) Whenever any policy or contract or reinsurance agreement of title insurance is surrendered or cancelled by the holder or liability thereon is discharged or reinsured after the year in which the policy or contract or reinsurance agreement was issued the unearned premium on such policy or contract or agreement shall be withdrawn from the unearned premium reserve for the year in which the insurance was issued and shall be considered as part of net profit of the year in which the withdrawal is made

(e) The remaining balance of any addition or presumed addition to such reserve which has been held or which pursuant to the provisions of this subsection is deemed to have been held for a period of twenty (20) years shall be released shall no longer constitute a part of the unearned premium reserve shall constitute a part of net profit for the year in which the release is made and may be used for any corporate purposes including the payment of dividends For the purposes of making withdrawals from the unearned premium reserve established hereby the reinsurance reserve funds title reserve funds and title reserves established and maintained by any company having the powers of a title insurance company as defined in section 685 of this act pursuant to or under permission granted by any prior act of assembly shall be presumed to have been established out of income in twenty (20) equal annual additions over the past twenty (20) years whether or not such company shall have been in existence for that period

(f) For the purposes of determining the amounts of the unearned premium reserve that may be withdrawn and the interest of the policyholders therein under section 692 of this act all policies contracts or reinsurance agreements

of title insurance shall be considered as dated on July 1 in the year of issue

Section 692 Use of Unearned Premium Reserve (a) If a company having the powers of a title insurance company as defined in section 685 of this act becomes insolvent or is in the process of liquidation or dissolution or in the possession of the insurance commissioner such amount of the assets of such company equal to the unearned premium reserve as is necessary shall be used to pay for reinsurance with the written approval of the Insurance commissioner of the outstanding liability of such company upon all in-force policies or contracts or reinsurance agreements of title insurance or if reinsurance cannot be obtained shall be distributed to the holders of in-force contracts and policies of title insurance in proportion to the unearned premiums thereon

(b) If by any reason of depreciation in the market value of investments or other cause the amount of the assets eligible for investment of unearned premium reserve of any company having the powers of a title insurance company as defined in section 685 of this act should on any date be less than the amount required to be maintained by law in such reserve and the deficiency shall not be promptly cured such company shall forthwith give written notice thereof to the Insurance Commissioner and shall make no further policies or contracts or reinsurance agreements of title insurance until the amounts of such eligible investments shall have been restored and until it shall have received written approval from the Insurance Commissioner authorizing it to again issue such policies or contracts or agreements

Section 693 Reserves for Unpaid Losses and Loss Expense (a) Each company having the powers of a title insurance company as defined in section 685 of this act shall at all times establish and maintain in addition to other reserves (1) a reserve against unpaid losses and (2) a reserve against loss expense and shall calculate such reserves by making a careful estimate in each case of the loss and loss expense likely to be incurred by reason of every claim presented or that may be presented pursuant to notice from or on behalf of the insured of a title defect in or lien or adverse claim against the title insured that may result in a loss or cause expense to be incurred for the proper disposition of the claim The sums of the items so estimated shall be the total amounts of the reserves against unpaid losses and loss expenses of such company

(b) The amounts so estimated shall from time to time be revised as circumstances warrant

(c) The amounts set aside in such reserves in any year shall be deducted in determining the net profits for such year of any company having the powers of a title insurance company as defined in section 685 of this act

Section 694 Investment of Reserves The amount of the required reserves applicable to the title insurance business of each company having the powers of a title insurance company as defined in section 685 of this act shall be invested by each such company in securities which shall be designated for such reserve and shall consist of the classes of investments authorized by this act for the investment of the reserves of life insurance companies organized under the laws of this Commonwealth except policy loans and shall be subject to the same general investment provisions and restrictions that govern investments of Life Insurance companies organized under the laws of this Commonwealth

Section 3 This act shall take effect on the first day of the calendar month next following the date of approval hereof

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Gaffney,	Lutty,	Rovansek,
Agnew,	Garlock,	Magee,	Royer,
Amarando,	Gelfand,	Mahan,	Rubin,
Anderson, M. S.,	George,	Markley,	Rudisill,
Anderson, S. A.,	Gibb,	Maxwell,	Sarraf,
Ashton,	Gibson,	McCann,	Scarcelli,
Auker,	Goldstein,	McCormack,	Schuster,
Banker,	Gramlich,	McGee,	Sherman,
Barnatovich,	Greenwood,	McInroy,	Sigman,
Bazin,	Guss,	McKeever,	Smith, C. C.,
Bell,	Guthrie,	McLaughlin,	Smith, Wm. B.,
Blair,	Hamilton, R. K.,	McWherter,	Snider,
Boies,	Hamilton, W. H.,	Meholchick,	Stank,
Bonner,	Hass,	Metz,	Stebbins,
Boory,	Haudenshield,	Mihm,	Steckel,
Bower,	Heavey,	Mikula,	Stephens,
Branca,	Helm,	Miller,	Stevenson,
Breisch,	Henzel,	Mills,	Stone,
Brennan, A. P.,	Hewitt,	Monroe,	Stoner,
Brennan, J. J.,	Hocker,	Moody,	Strausser,
Brenninger,	Holt,	Moran,	Stroup,
Breth,	Horst,	Moscrip,	Swartz,
Brown,	Houk,	Muldowney,	Taylor,
Bucchin,	Isaacs,	Mullen,	Thomas,
Bullen,	Jenkins,	Munley,	Thompson,
Capano,	Johnson,	Murphy,	Toli,
Cianfrani,	Jones, G. E.,	Murray, H. P.,	Tompkins,
Cioffi,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Cochran,	Jump,	Murray, J. J.,	Varallo,
Comer,	Kamyk,	Musto,	Varner,
Connelly,	Kehler,	Needham,	Vaughan,
Curwood,	Keller,	Ogilvie,	Verona,
Davis,	Kent,	Olsen,	Wall,
Donahue,	Knecht,	O'Neil,	Wallace,
Donaldson,	Kolankiewicz,	Pacchioli,	Walsh,
Dougherty,	Kooker,	Parry,	Wargo,
Down,	Kornick,	Pashley,	Weidner,
Ehrgood,	Kratz,	Paulhamus,	Welsh,
Eilberg,	Kromer,	Petrosky,	Wescott,
Erb,	Kubacki,	Pettigrew,	Wheeler,
Eshleman,	Lafore,	Polaski,	Whitenight,
Ewing,	Lawyer,	Polen,	Willaredt,
Filo,	Leiby,	Pomeroy,	Williams,
Flint,	Leisey,	Price,	Wood,
Floyd,	Leonard,	Pursley,	Worley,
Flynn,	Leven,	Readinger,	Yetter,
Foster,	Light,	Reibman,	Yetzer,
Frank,	Limper,	Reidenbach,	Young,
Farabaugh,	Lippincott,	Renwick,	Ziegler,
Frascella,	Lopresti,	Rigby,	Andrews,
Frost,	Lovett,	Rosen,	Speaker

NAYS—0

NOT VOTING—6

Cooper,	Kline,	Waterhouse,	Wilt,
Fineman,	Naugle,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1091, as follows:

An Act amending the act of May 17 1921 (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing for and regulating the investments of title insurance companies.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 696 act of May 17 1921 (P. L. 682) known as "The Insurance Company Law of 1921" added July 1 1937 (P. L. 2540) is amended to read

Section 696 [Additional Requirements Except for the requirements of this article all of the laws rules and regu-

lations pertaining to stock casualty insurance companies shall apply and shall be applied to title insurance companies] Investments of Title Insurance Companies (a) The capital of any title insurance company organized under the insurance laws of this Commonwealth shall be invested in the classes of investment authorized by this act for the capital of life insurance companies organized under the laws of this Commonwealth except policy loans.

(b) The amount of the required reserves applicable to the title insurance business of any company having the powers of a title insurance company as defined in section 685 of this act shall be invested by each company in the classes of investment authorized by this act for investment of the reserves of life insurance companies organized under the laws of this Commonwealth except policy loans

(c) Any money over and above the capital and reserves including the paid-in surplus of any title insurance company organized under the insurance laws of this Commonwealth shall except for necessary cash balances be invested in any of the classes of investment authorized by this section or in any of the classes of investment authorized by this act for investment of the surplus funds of either (i) life insurance companies organized under the laws of this Commonwealth except policy loans or (ii) stock casualty insurance companies organized under the laws of this Commonwealth including the stock of other title insurance companies

(d) The general investment provisions and restrictions of this act governing investments of life insurance companies organized under the laws of this Commonwealth shall apply to and govern the investments of the capital of title insurance companies organized under the insurance laws of this Commonwealth and to the investment of the reserves applicable to the title insurance business of any company having the power of a title insurance company as defined in section 685 of this act as if all references to life insurance companies in such general investment provisions and restrictions were to such companies

(e) The general investment provisions and restrictions of this act governing the investment of any money over and above capital of stock causalty insurance companies shall apply to and govern the investment of any money over and above capital and reserves of title insurance companies organized under the insurance laws of this Commonwealth

(f) A title insurance company organized under the insurance laws of this Commonwealth may invest its capital reserves and any money over and above capital and reserves in a title plant but its aggregate investment in its title plant and in real estate except real estate acquired in connection with a claim under a policy of title insurance shall not exceed sixty-five per centum of the total of its paid-up capital reserves and any money over and above capital and reserves and the investment in the title plant alone shall not exceed twice the amount of its paid-up capital There shall be included in real estate for the purpose of this section the value of all stocks of any corporation formed for the purpose of holding title to or operating real estate and the value of the obligations of any such corporation where all of the stock thereof is held by one or more such companies The title plant shall be considered and admitted asset at the fair value thereof In determining the fair value of a title plant no value shall be attributed to furniture and fixtures and the real estate in which the title plant is housed shall be carried as real estate The value of the title abstracts title briefs copies of conveyances or other documents indices and other records comprising the title plant shall be determined by considering the expenses incurred in obtaining them the age thereof the cost of replacement less depreciation and all other relevant factors Once the value of a title plant shall have been determined hereunder such value may subject to the limitations on the total investment prescribed by this section be increased by the cost of all additions thereto not charged to current operating expenses and by the fair value of all title absracts title briefs copies of conveyances or other documents indices and other records added thereto otherwise than as a part of a current examination of title made in connection with the issuance of a policy but such fair vale of a title plant shall not otherwise be increased provided however that such company shall at all times keep at least one hundred seventy-five thousand dollars ($175,000) invested in the classes of securities other than title plant and real estate authorized for the investment of capital

(g) Subject to the limitations imposed by subsection (f) of this section and with the approval of the insurance commissioner a company having the powers of a title insurance company as defined in section 685 of this act may enter into agreement with one or more other such companies authorized to do business in this Commonwealth whereby such companies shall participate in the ownership management and control of a title plant to service the needs of all such companies or such companies may hold stock of a corporation owning and operating a title plant for such purposes

Section 2 The act is amended by adding after section 696 a new section to read

Section 697 Additional Requirements Except for the requirements of this sub-article (h) all of the laws rules and regulations pertaining to stock casualty insurance companies shall apply and shall be applied to title insurance companies

Section 3 This act shall take effect on the second day of the calender month next following the date of the approval hereof

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Gaffney,	Lutty,	Rovansek,
Agnew,	Garlock,	Magee,	Royer,
Amarando,	Gelfand,	Mahan,	Rubin,
Anderson, M. S.,	George,	Markley,	Rudisill,
Anderson, S. A.,	Gibb,	Maxwell,	Sarraf,
Ashton,	Gibson,	McCann,	Scarcelli,
Auker,	Goldstein,	McCormack,	Schuster,
Banker,	Gramlich,	McGee,	Sherman,
Barnatovich,	Greenwood,	McInroy,	Sigman,
Bazin,	Guss,	McKeever,	Smith, C. C.,
Bell,	Guthrie,	McLaughlin,	Smith, Wm. B.,
Blair,	Hamilton, R. K.,	McWherter,	Snider,
Boles,	Hamilton, W. H.,	Meholchick,	Stank,
Bonner,	Hass,	Metz,	Stebbins,
Boory,	Haudenshield,	Mihm,	Steckel,
Bower,	Heavey,	Mikula,	Stephens,
Branca,	Helm,	Miller,	Stevenson,
Breisch,	Henzel,	Mills,	Stone,
Brennan, A. P.,	Hewitt,	Monroe,	Stoner,
Brennan, J. J.,	Hocker,	Moody,	Strausser,
Brenninger,	Holt,	Moran,	Stroup,
Breth,	Horst,	Moscrip,	Swartz,
Brown,	Houk,	Muldowney,	Taylor,
Bucchin,	Isaacs,	Mullen,	Thomas,
Bullen,	Jenkins,	Munley,	Thompson,
Capano,	Johnson,	Murphy,	Toll,
Cianfrani,	Jones, G. E.,	Murray, H. P.,	Tompkins,
Cioffi,	Jones, T. H. W.,	Murray, J. J.,	Toomey,
Cochran,	Jump,	Murray, P. G.,	Varallo,
Comer,	Kamyk,	Musto,	Varner,
Connelly,	Kehler,	Needham,	Vaughan,
Curwood,	Keller,	Ogilvie,	Verona,
Davis,	Kent,	Olsen,	Wall,
Donahue,	Knecht,	O'Neil,	Wallace,
Donaldson,	Kolankiewicz,	Pacchioli,	Walsh,
Dougherty,	Kooker,	Parry,	Wargo,
Down,	Kornick,	Pashley,	Weidner,
Erb,	Kratz,	Paulhamus,	Welsh,
Ehrgood,	Kromer,	Petrosky,	Wescott,
Ellberg,	Kubacki,	Pettigrew,	Wheeler,
Eshleman,	Lafore,	Polaski,	Whitenight,
Ewing,	Lawyer,	Polen,	Willaredt,
Farabaugh,	Leiby,	Pomeroy,	Williams,
Filo,	Leisey,	Price,	Wood,
Flint,	Leonard,	Pursley,	Worley,
Floyd,	Leven,	Readinger,	Yetter,
Flynn,	Light,	Reibman,	Yetzer,
Foster,	Limper,	Reidenbach,	Young,
Frank,	Lippincott,	Renwick,	Ziegler,

Frascella,	Lopresti,	Rigby,	Andrews,
Frost,	Lovett,	Rosen,	Speaker

NAYS—0

NOT VOTING—6

Cooper,	Kline,	Waterhouse,	Wilt,
Fineman,	Naugle,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McGEE.

The House resumed the consideration on final passage of House Bill No. 407, as follows:

An Act amending the act of August 10 1951 (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the court of common pleas of Dauphin County and prescribing penalties" extending the period for application for limited examination clarifying certain provisions thereof establishing further standards of educational conferences and requiring board approval thereof providing for branch office certificates and prohibiting branch office practice without such certificate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 5 act of August 10 1951 (P. L. 1182) known as the "Chiropractic Registration Act of 1951" amended June 19, 1953 (P. L. 295) is amended to read

Section 5 Licensing Present Practitioners (a) Any person of good character who has been engaged in the full-time practice of chiropractic for twenty-five (25) years or more the last five of which have been in this State prior to the effective date of this act and who was graduated from a legally incorporated and reputable school or college of chiropractic shall be entitled to take a limited examination for licensure Any person of good character who has been engaged in the full-time practice of chiropractice for less than twenty-five (25) but more than (20) years the last five of which have been in this State prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent as approved by the Department of Public Instruction and in excess of eighteen hundred (1800) hours of classroom instruction in a legally incorporated and reputable school or college of chiropractic and has been graduated therefrom shall be entitled to take a limited examination for licensure Any person of good character who has been engaged in the full-time practice of chiropractic for less than twenty (20) years but more than ten (10) years the last five of which have been in this State prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent as approved by the Department of Public Instruction and not less than two thousand one hundred and fifty (2150) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall be entitled to take a limited examination for licensure Any person of good character who has engaged in the full-time practice of chiropractic in this State for at least one (1) year but less than ten (10) years prior to the effective date of this act and possessing general education of not less than a standard four year high school course or its equivalent and not less than one year of college credits in chemistry biology and physics as approved by the Department of Public Instruction and not less than two thousand five hundred and fifty (2550) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall be entitled to take a limited examination for licensure Application to take any limited examination under the provisions of this act for licensure shall be made in such form as may be provided by the board and must be made by the applicant before the first day of [January one thousand nine hundred fifty-four] July one thousand nine hundred fifty-six

* * *

Section 2 Subsection (b) of section 10 and sections 11 15 and 20 of the act are amended to read

Section 10 Examinations

* * *

(b) For the purpose of examining applicants for licensure the board shall hold at least two (2) [stated meetings] examinations each year due notice of which shall be made public the examinations to be held at such times and places as the board may determine [At such meetings] Such examinations may be conducted by a committee of two (2) or more members of the board authorized by the board Examinations shall be conducted in accordance with the rules and regulations prescribed by the board No license shall be granted to any applicant unless he or she has obtained a general average of not less than seventy-five per centum (75%) of a maximum of one hundred

Section 11 Failure in Examination Any applicant for licensure who shall fail in the examination authorized by this act shall have the privilege of a second examination without the payment of an additional fee In the case of failure at any standard examination the applicant after the expiration of six (6) months and within two (2) years shall have the privilege of taking a second examination In the case of failure of a limited examination as provided for in sections five and six of this act the applicant shall have the privilege of taking a second examination at such time as the board may determine In the event of [his] failure to pass [the] a second examination [he] the applicant shall thereafter cease to practice chiropractic in this Commonwealth The board may in its discretion permit an applicant to take more than two examinations but the applicant shall be required to pay the same fee as is required for the original examination

Section 15 Attendance at Educational Conferences No applicant for registration shall be granted a registration for the ensuing license year unless the applicant shall furnish to the board satisfactory evidence that he has attended not less than one two-day educational conference by the Pennsylvania Chiropractic Society [Inc] during the current license year or that he has attended an equivalnt educational conference during the same period [An equivalent educational conference shall be one approved or ratified by the board as meeting the educational and professional requirements of the profession] The educational conference conducted by the Pennsylvania Chiropractic Society or an equivalent educational conference shall be approved by the board as meeting the educational and professional requirements of the profession and shall include no less than eight (8) hours of lecture or instruction by qualified persons in two or more of the following named subjects hygiene sanitation anatomy physiology chemistry pathology histology symptomatology diagnosis chiropractic analysis and X-Ray ethical standards philosophy principles and technique of chiropractic

It shall be the duty of the board on or before the first day of February of each year to mail to every person licensed under this act a notice setting forth the pro-

visions of this section No licensee shall be registered for the ensuing license year if he fails to comply with the provisions of this section Provided That the board may at its discretion register any licensee upon subsequent compliance with the provisions of this section or upon excusing the licensee from complying with the provisions of this section for good cause

Section 20 Display of Certificate Branch Office Certificates (a) Every holder of a certificate granted by the board under the provisions of this act shall display the same in a conspicuous place in his or her office where such person shall practice chiropractic

(b) Any licensee desiring to practice chiropractic in a branch office other than the office where his certificate is displayed shall apply to and be granted by the board a branch office certificate for each such branch office or place of practice Applications thereof shall be on a form prescribed by the board and the applicant shall pay such fee therefor as may be fixed by the department Branch office certificates shall be subject to the same annual registration provisions as applicable to licensure No person shall practice chiropractic at a branch office other than the office where his certificate is displayed unless he shall have first applied for and received a branch office certificate which shall be displayed in such branch office

On the question recurring,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker. I wish to call to the attention of the Members of this House that this is the bill which legalizes a system whereby a group of individuals can compel chiropractors to take annual courses. It is my estimate that it will cost the chiropractors of Pennsylvania $50,000 a year to renew their licenses.

Such a system does not apply to any other profession. I do not believe it to be in the public interest and I ask everyone to vote against it on both sides of the House.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—131

Adam,	Frost,	Mahan,	Royer,
Amarando,	Gaffney,	Markley,	Scarcelli,
Anderson, S. A.,	Garlock,	McCann,	Sigman,
Auker,	Gibson,	McGee,	Smith, C. C.,
Banker,	Gramlich,	McKeever,	Snider,
Bazin,	Guthrie,	Meholchick,	Stank,
Boies,	Hamilton, R. K.,	Metz,	Steckel,
Bonner,	Hamilton, W. H.,	Mikula,	Stevenson,
Boory,	Helm,	Miller,	Stoner,
Bower,	Henzel,	Moran,	Strausser,
Breisch,	Hewitt,	Moscrip,	Stroup,
Brennan, A. P.,	Hocker,	Muldowney,	Swartz,
Brennan, J. J.,	Holt,	Mullen,	Taylor,
Brenninger,	Horst,	Munley,	Thomas,
Breth,	Houk,	Murray, H. P.,	Toll,
Bucchin,	Johnson,	Murray, P. G.,	Tompkins,
Capano,	Jones, G. E.,	Needham,	Toomey,
Cianfrani,	Jones, T. H. W.,	Ogilvie,	Varner,
Comer,	Jump,	Pacchioli,	Vaughan,
Curwood,	Kehler,	Parry,	Walsh,
Davis,	Kent,	Pashley,	Wargo,
Donahue,	Knecht,	Paulhamus,	Weidner,
Dougherty,	Kolankiewicz,	Petrosky,	Welsh,
Down,	Kooker,	Pettigrew,	Wescott,
Ehrgood,	Kornick,	Polaski,	Whitenight,
Eilberg,	Kratz,	Polen,	Willaredt,
Erb,	Kromer,	Pomeroy,	Williams,
Farabaugh,	Leonard,	Pursley,	Wood,
Filo,	Leven,	Readinger,	Worley,
Flint,	Light,	Reibman,	Yetter,
Floyd,	Limper,	Reidenbach,	Young,
Flynn,	Lopresti,	Renwick,	Ziegler,
Frascella,	Magee,	Rovansek,	

NAYS—52

Agnew,	Ewing,	Lippincott,	Rigby,
Anderson, M. S.,	Frank,	Lovett,	Rosen,
Ashton,	Gelfand,	McCormack,	Rubin,
Barnatovich,	Gibb,	McLaughlin,	Rudisill,
Bell,	Goldstein,	McWherter,	Sarraf,
Branca,	Guss,	Mihm,	Sherman,
Brown,	Hass,	Mills,	Smith, Wm. B.,
Bullen,	Haudenshield,	Monroe,	Stebbins,
Cioffi,	Isaacs,	Moody,	Stone,
Cochran,	Kamyk,	Murphy,	Thompson,
Connelly,	Lawyer,	Musto,	Wall,
Donaldson,	Leiby,	Olsen,	Wallace,
Eshleman,	Leisey,	O'Neil,	Andrews, Speaker

NOT VOTING—26

Blair,	Jenkins,	McInroy,	Varallo,
Cooper,	Keller,	Murray, J. J.,	Verona,
Fineman,	Kline,	Naugle,	Waterhouse,
Foster,	Kubacki,	Price,	Wheeler,
George,	Lafore,	Schuster,	Wilt,
Greenwood,	Lutty,	Stephens,	Yetzer,
Heavey,	Maxwell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 369 as follows:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" further defining the powers of courts on appeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 464 act of April 12, 1951 (P. L. 90) known as the "Liquor Code" is amended to read

Section 464 Hearings Upon Refusal of Licenses Renewals or Transfers Appeals The board may of its own motion and shall upon the written request of any applicant for club hotel or restaurant liquor license or any applicant for any malt or brewed beverage license other than a public service license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof In considering the renewal of a license the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license If the board

shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant Any applicant who has appeared before the board or any agent thereof at any hearing as above provided who is aggrieved by the refusal of the board to issue any such license or to renew or transfer any such license may appeal or any church hospital charitable institution school or public playground located within three hundred feet of the premises applied for aggrieved by the action of the board in granting the issuance of any such license or the transfer of any such license may take an appeal limited to the question of such grievance within twenty days from date of refusal or grant to the court of quarter sessions of the county in which the premises applied for is located or the county court of Allegheny County Such appeal shall be upon petition of the aggrieved party who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice The said appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise The court shall hear the application de novo on questions of fact administrative discretion law and such other matters as are involved at such time as it shall fix of which notice shall be given to the board The court shall in its own discretion either sustain or overrule the action of the board and either order or deny the issuance of a new license or the renewal or transfer of the license to the applicant The parties to the proceeding may within thirty days from the filing of the order or decree of said court appeal therefrom to the Superior Court

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. VARNER. Mr. Speaker, I would like to have the sponsor of the bill tell me and some of the other Members that are a little confused just what this bill attempts to do.

Mr. CAPANO. Mr. Speaker, I would like to read some comments on this bill so that you might understand it. House Bills 369 and 370 are companion bills.

When the Legislature passed the original liquor laws, it provided for situations where licensees and others would not be satisfied with decision of the Liquor Board. The Legislature provided that in such cases appeals could be taken to the various Courts of Quarter Sessions. The Legislature stipulated that such appeals should be rehearings, at which the court would hear testimony from the very beginning and thus be able to make an independent decision without being bound by the testimony and findings of the Liquor Board.

Despite this intention, litigation, over the course of years, resulted in a different view. The Superior Court ultimately held that when an appeal was taken from the refusal of the Liquor Board to grant, refuse or transfer a license, the various Quarter Sessions Courts would not be permitted to disturb the administrative discretion of the Liquor Board, not to substitute the court's discretion for that of the Liquor Board.

On appeals from penalties of suspension and revocation of the Liquor Board, the decisions wound up saying that even though the court held independent hearings and heard its own testimony, the court could, nevertheless, not change any penalty unless it found different facts than the Liquor Board.

In order to rectify and clarify its original intention, the Legislature in 1949 passed various amendments. These amendments were carried over into the 1951 Code and appear in that Liquor Code today.

In connection with appeals from the refusal to grant, renew, or transfer a license, the Legislature in 1949 amplified the law to say that the Quarter Sessions Courts, when they heard these cases of appeals, should have the right to deal with questions of fact, administrative discretion, and such other matters as were involved at the time.

However, all decisions of the upper court which have come to our attention have indicated that it is still of the opinion that there has been no change in the law, as originally found by it before these amendments were drawn. There is no reference in the opinions as to the existence of the 1949 amendments.

Accordingly, House Bill 369 is an attempt to strengthen the declaration of the Legislature. The amendment contained in House Bill No. 369 says that the court, when it hears these cases anew, may deal with questions of fact and law and shall make a decision in the court's own discretion.

It is hoped that this clear language will reinstate the original views of the Legislature to such a degree that the courts will thoroughly understand the Legislature's intention.

That is the purpose of this bill.

Mr. VARNER. Mr. Speaker, I wish to thank the gentleman, my friend from Washington, Mr. Capano.

Mr. STROUP. Mr. Speaker, I would like to have permission to say just a few words in connection with this bill.

I think the House should be aware that this bill is a well-calculated and a well-designed effort to place the burden of the determination of facts and law upon the local courts of common pleas in each locality. This in itself will be an effort and may result very definitely in opening up different questions which should be decided by the Liquor Control Board.

If you are going to pass House Bill 369, you may as well forget about your Liquor Control Board and its functioning at all. You are delegating and taking away all power from that Board and throwing it into your courts of common pleas. You are going right back to where you were before. That is the reason for the opinions of the courts and the Superior Court heretofore, to support the Liquor Control Board, its investigations and its findings of fact.

Heretofore the courts of common pleas could not possibly reverse the Liquor Control Board unless they found abuse of discretion in that Board.

Now regardless of what they find, even though the Board has in no way abused its discretion and may be correct on its interpretation and enforcement of the law and the Liquor Control Act, nevertheless the courts themselves can make an independent decision. You are placing the entire burden upon the courts of common

pleas, which is, as I say, a well-calculated and well-designed effort to open that whole field up again.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—116

Adam,	Ehrgood,	Maxwell,	Renwick,
Amarando,	Eilberg,	McKeever,	Rovansek,
Anderson, M. S.,	Farabaugh,	McGee,	Royer,
Anderson, S. A.,	Filo,	McLaughlin,	Schuster,
Ashton,	Flint,	McWherter,	Sigman,
Auker,	Floyd,	Meholchick,	Smith, Wm. B.,
Banker,	Flynn,	Mills,	Stank,
Barnatovich,	Frank,	Monroe,	Steckel,
Bell,	Gaffney,	Moran,	Stone,
Boies,	Gelfand,	Muldowney,	Swartz,
Bonner,	Helm,	Mullen,	Taylor,
Boory,	Henzel,	Munley,	Thomas,
Branca,	Hocker,	Murphy,	Thompson,
Brennan, A. P.,	Holt,	Murray, H. P.,	Toll,
Brennan, J. J.,	Horst,	Murray, P. G.,	Tompkins,
Brenninger,	Jenkins,	Musto,	Toomey,
Breth,	Jones, G. E.,	Needham,	Varallo,
Brown,	Jones, T. H. W.,	Olsen,	Varner,
Bucchin,	Jump,	O'Neil,	Vaughan,
Bullen,	Kehler,	Pacchioli,	Verona,
Capano,	Knecht,	Pashley,	Walsh,
Cianfrani,	Kolankiewicz,	Paulhamus,	Wallace,
Cioffi,	Kratz,	Petrosky,	Wargo,
Cochran,	Lawyer,	Pettigrew,	Welsh,
Comer,	Leisey,	Polaski,	Wescott,
Connelly,	Leven,	Polen,	Whitenight,
Curwood,	Lippincott,	Pomeroy,	Williams,
Davis,	Lopresti,	Reibman,	Worley,
Dougherty,	Markley,	Reidenbach,	Yetter,

NAYS—72

Agnew,	Guss,	Mahan,	Sherman,
Bazin,	Guthrie,	McCann,	Smith, C. C.,
Blair,	Hamilton, R. K.,	McCormack,	Snider,
Bower,	Hamilton, W. H.,	McInroy,	Stebbins,
Breisch,	Hass,	Mikula,	Stephens,
Donahue,	Haudenshield,	Miller,	Stevenson,
Donaldson,	Hewitt,	Moody,	Stoner,
Down,	Houk,	Ogilvie,	Strausser,
Erb,	Kamyk,	Parry,	Stroup,
Eshleman,	Kooker,	Price,	Wall,
Ewing,	Kromer,	Pursley,	Weidner,
Frascella,	Kubacki	Readinger,	Willaredt,
Frost,	Leiby,	Rigby,	Wood,
Garlock,	Leonard,	Rosen,	Yetzer,
Gibb,	Light,	Rubin,	Young,
Gibson,	Limper,	Rudisill,	Ziegler,
Goldstein,	Lovett,	Sarraf,	Andrews,
Gramlich,	Magee,	Scarcelli,	Speaker
Greenwood,			

NOT VOTING—21

Cooper,	Johnson,	Lafore,	Murray, J. J.,
Fineman,	Keller,	Lutty,	Naugle,
Foster,	Kent,	Metz,	Waterhouse,
George,	Kline,	Mihm,	Wheeler,
Heavey,	Kornick,	Moscrip,	Wilt,
Isaacs,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 370, as follows:

An Act amending the act of April 12 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" further defining the powers of courts on appeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 471 act of April 12 1951 (P. L. 90) known as the "Liquor Code" is amended to read

Section 471 Revocation and Suspension of Licenses Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws of any violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor or malt or brewed beverages by any licensee within the scope of this article his officers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises Such suspensions and revocations shall not go into effect until twenty days have elapsed from the date of notice of issuance of the board's order during which time the licensee may take an appeal as provided for in this act When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within the said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action or penalty of the board he shall have the right to appeal to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses Upon appeal the court so appealed to shall in the exercise of its discretion sustain reject alter or modify the findings conclusions and penalties of the board based on the findings of fact and conclusions of law as found by the court The aforesaid appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise The licensee or the board may within thirty days from the filing of the order or decree of said court file an appeal therefrom to the Superior Court In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of a manufacturer of malt or brewed beverages the offer in compromise shall be at the rate of one hundred dollars ($100) for each day of suspension in the case of a liquor importer

sacramental wine licensee and a malt or brewed beverage importing distributor thirty dollars ($30) in the case of a distributor of malt or brewed beverages twenty dollars ($20) for each day of suspension and in the case of a hotel restaurant and club liquor licensee and a retail malt or brewed beverage dispenser or transporter for hire ten dollars ($10) for each day of suspension No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of 100 days

Where the court shall order a suspension it shall also direct the board to accept or reject an offer in compromise for all or a portion of the period of suspension

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. Mr. Speaker, I would like to ask Mr. Capano one question.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. CAPANO. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, I would like to ask the gentleman whether or not these liquor bills have the approval of the Liquor Control Board?

Mr. CAPANO. Mr. Speaker, I have not taken them up with the Liquor Control Board.

Mr. McCORMACK. Mr. Speaker, are they administration bills?

Mr. CAPANO. No, Mr. Speaker.

Mr. STROUP. Mr. Speaker, I don't like to belabor this issue and appear before you again on this subject but here again in this bill you are making it possible for the courts of our Commonwealth to include in any order they make a direction to the Board to accept or reject an offer of compromise for all or a part of any suspension period.

Your present Liquor Control Board has been trying very much to tighten up on compromises on suspensions. It was looked upon as something of an evil for a considerable time. Your present Board has really tightened up and done a fine job. Now you are taking away all discretion from your present Liquor Control Board on compromise, they have no discretion at all. Your courts of common pleas will now hand down an order and say it must accept $20 a day in compromise. If you keep that up for a period of time, then your violators can continue violating, if only they have the favor of the courts or some influence in your particular locality.

Therefore, ladies and gentlemen, I ask you to give this bill very thorough consideration. You are practically tying the hands of the Liquor Control Board behind their backs. I am sure you do not wish to open up the doors any wider than they have been heretofore.

Mr. LOPRESTI. Mr. Speaker, the suggestion has been made that we are taking away all the discretionary powers of our Liquor Control Board.

This bill does not actually do that. This bill provides that where an appeal has been taken to the court and the court after hearing all the facts sustains a suspension, they may go further and act on the question of compromise, whether or not the compromise should be accepted or repected.

In all cases where there is no appeal taken the Board will continue to act as they have heretofore. This does not take away the power of the Board except where there is an appeal. Since we do allow appeals and since the law has always allowed appeals, I think that it is no more than proper that the court, having the say on the suspension, having the say on the facts, should also have something to say about the final disposition of the suspension and the compromise.

Mr. STROUP. Mr. Speaker, in reply to my friend from Cameron County, if this bill becomes law you will have a flood of appeals to your courts in order to get the court to sustain, first, a suspension if it should be sustained, and then persuade the court to order a compromise. This is the actual effect of the bill.

Mr. LOPRESTI. Mr. Speaker, to which I must retort that I have confidence in the courts of Cambria County. We already have a law which permits these appeals. We are merely making that law more explicit. We have never had a liquor control law which did not permit an appeal from the Board, the appeal was always permitted. The only thing we have was an attempt by the upper court, the Superior Court, to make law of its own, trying to set forth the extent of the appeal. I think the Acts of Assembly heretofore were pretty clear, but the Superior Court has ruled that in these appeals, which were to be de novo, according to law, the court did not have discretionary powers and could not overrule the Board under certain circumstances.

I have never understood that to be the law, and all we are doing now is trying to clarify it so that the final decision will rest upon our courts. As I said a while ago, I have confidence in our courts and I think appeals should be allowed at all times and the court in its proper discretion should make the decision.

Mr. McCORMACK. Mr. Speaker, since this amendment would require the Board to accept an offer of compromise, even though the Board after decision feels that an offer of compromise should not be accepted but that the suspension should stay in effect, I think we are reducing the Liquor Control Board to a clearing agency for the purpose of issuing licenses. We are taking away all of the power that the Board heretofore had under decisions of the Superior Court I think we ought to introduce a bill, if we continue to pass legislation like this, outlawing the Board altogether.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Adam,	Eilberg,	McGee,	Renwick,
Amarando,	Farabaugh,	McKeever,	Rovansek,
Anderson, M. S.,	Filo,	McWherter,	Royer,
Anderson, S. A.,	Flint,	Meholchick,	Scarcelli,
Ashton,	Floyd,	Mihm,	Schuster,
Banker,	Flynn,	Mikula,	Sherman,
Barnatovich,	Frank,	Mills,	Sigman,
Bell,	Frascella,	Monroe,	Smith, Wm. B.,
Boies,	Gaffney,	Moran,	Stank,
Bonner,	Gelfand,	Muldowney,	Steckel,
Branca,	Henzel,	Mullen,	Stone,
Brennan, A. P.,	Hocker,	Murray, H. P.,	Swartz,
Brennan, J. J.,	Holt,	Murray, J. J.,	Taylor,
Breth,	Horst,	Murray, P. G.,	Thomas,

Brown,	Houk,	Murphy,	Thompson,
Bucchin,	Isaacs,	Musto,	Toll,
Bullen,	Jenkins,	Olsen,	Varallo,
Capano,	Jones, G. E.,	O'Neil,	Vaughan,
Cianfrani,	Jump,	Pacchioli,	Wallace,
Cioffi,	Knecht,	Pashley,	Walsh,
Cochran,	Kolankiewicz,	Paulhamus,	Waterhouse,
Comer,	Kubacki	Petrosky,	Welsh,
Connelly,	Leven,	Pettigrew,	Williams,
Curwood,	Lippincott,	Polaski,	Worley,
Davis,	Lopresti,	Polen,	Yetter,
Dougherty,	Markley,	Pomeroy,	Yetzer,
Ehrgood,	Maxwell,	Reibman,	

NAYS—80

Agnew,	Guthrie,	Magee,	Smith, C. O.,
Bazin,	Hamilton, W. H.,	Mahan,	Snider,
Blair,	Hass,	McCann,	Stebbins,
Boory,	Haudenshield,	McCormack,	Stephens,
Bower,	Helm,	McInroy,	Stevenson,
Breisch,	Hewitt,	McLaughlin,	Strausser,
Brenninger,	Jones, T. H. W.,	Miller,	Stroup,
Donahue,	Kamyk,	Moody,	Toomey,
Donaldson,	Kehler,	Munley,	Varner,
Down,	Kooker,	Needham,	Verona,
Erb,	Kornick,	Ogilvie,	Wall,
Ewing,	Kratz,	Parry,	Wargo,
Frost,	Kromer,	Price,	Weidner,
Garlock,	Lawyer,	Pursley,	Wescott,
Gibb,	Leiby,	Readinger,	Whitenight,
Gibson,	Leisey,	Rigby,	Willaredt,
Goldstein,	Leonard,	Rosen,	Wood,
Gramlich,	Light,	Rubin,	Young,
Greenwood,	Limper,	Rudisill,	Ziegler,
Guss,	Lovett,	Sarraf,	Andrews, Speaker

NOT VOTING—22

Auker,	Hamilton, R. K.,	Lafore,	Reidenbach,
Cooper,	Heavey,	Lutty,	Stoner,
Eshleman,	Johnson,	Metz,	Tompkins,
Fineman,	Keller,	Moscrip,	Wheeler,
Foster,	Kent,	Naugle,	Wilt,
George,	Kline,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS

The SPEAKER. The Chair will declare a recess if the gentlemen of the Press, while the House is in session, consult with Members of the House. It is perfectly in order if there is a recess; distinctly out of order unless this House is in recesse.

If there is no objection, the Chair will declare a short recess. The Chair hears none.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILLS ON SECOND READING

The SPEAKER. With the permission of the House, the Chair will return to page 6 of today's calendar, bills on second reading. This Chair hears no objection.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1879, entitled:

An Act to provide revenue for Commonwealth purposes by imposing a tax on the sale of certain tangible personal property and on the use storage or consumption of certain tangible personal property providing for the reporting and payment of tax payment of interest and penalties assessments collection liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers and individuals.

The first Article was read.

On the question,

Will the House agree to the Article?

MOTION TO POSTPONE

Mr. AUKER. Mr. Speaker I move that this bill be placed upon the Second Reading Postponed Calendar.

On the question.

Will the House agree to the motion?

Mr. AUKER. Mr. Speaker and Members of the House, possibly a lot of the younger Members of the House do not remember several old maxims or several old adages that come to my mind at this time, I know the Speaker will, and probably a lot of the older Members will. One of them is, "It's a long lane that doesn't have a turning." The other one is, "What's good for the goose is good for the gander."

I would like to take you back to 1953, on April 8th, when the sales tax bill was up in this House for consideration. It was on second reading and had not yet passed second reading.

At that time the Speaker of the House, who was then the Minority Floor Leader, made a motion that those particular two sales tax bills be put upon the postponed calendar. Now we find the situation just reversed, and in all fairness to the Speaker, who was at that time the Minority Floor Leader, I am going to place in the record the entire remarks of the gentleman which were made at that time and will at this time only read in certain excerpts from that record and the remarks made by the gentleman.

I quote, this is from the record, Mr. Andrews speaking:

> Mr. Speaker, we are not in a position to close our revenue raising program. We have not as yet heard any intimations from the responsible Committee concerning the financial demands of the General Appropriation bill and the other appropriations which this House will undoubtedly make.

Now the appropriation bills have already been passed the House, except the general hospital bills, with which we are all perfectly familiar, but we also know there is considerable dispute between the House and the Republican Senate as to just what appropriations are needed and what are really the basic budget demands necessary to carry this state over the next 16 months.

I read further and I might add, Mr. Speaker, as a side remark that very much against my good judgment I voted for the appropriation bills when they came up the second time on the assumption and the understanding I had received that the budget demands and the budget would be ironed out between the Democratic and Republican leaders of the House and the Senate and the Governor of this Commonwealth. I felt that would not be done, and time has proven me right, because they certainly are not at this period in any shape or form, or in any degree ironed out. They are still the same mess as they have been for the last 11 months.

I read further:

> To arbitrarily—I repeat the word—To arbitrarily decide at this time before there has been a

review by any responsible body representing this House as to how much money we will need, and to try in that case to fix an ultimate tax figure, is to fly in the face of sound reasoning.

Gentlemen, we are flying today in the face of sound reasoning if you vote this tax bill through in the next 36 hours.

I quote further:

I have no notion and you have no notion as to the amount the general appropriation bill will carry.

We have no notion today until they are passed finally by the Senate how much these general appropriation bills are going to carry.

I quote further:

There has been upon the part of this House no basic study made concerning the actual necessities of the various departments.

That possibly is not true with regard to the differences on tax bills before us today, but, as I said before, they certainly are not resolved between the House and the Senate.

I quote further:

While we all know that there was no possibility of making a flat ten per cent reduction in expenditures across the board, many of us—now this is the Minority Floor Leader speaking in 1953—many of us—and that includes us over on this side of the House this time—are convinced that in some instances decided reductions could be made.

I believe the Republican-controlled Senate still has that very strong idea.

I want to quote further, Mr. Speaker, and this is very important—this is a little like murder, I hate to do this, but here it is:

The bill now under consideration is scarcely dry from the Printer. No basic study has been made concerning our actual financial needs. I repeat, this bill before us is scarcely dry from the printer.

Just two years ago the Speaker of the House, the then Minority Floor Leader, said these very words about that very sales tax bill which had been in print, many, many weeks before it was brought to the floor of this House.

I will quote further:

There have been no available copies to send out to interested groups that wanted to know what we were thinking about in this bill.

Now, Mr. Speaker, if that was true in 1953, certainly it is many, many, many times more true this very day in consideration of this very bill, because here we have a bill that has never been tried before by any state in this union.

In regard to the sales tax bill in 1953, you did have the experience of some 35 or 38, or more, states which had tried the sales tax bill in meeting their needed revenues for welfare and educational purposes and had found that to be the best broad base tax to be used for those purposes. That is your experience from other states.

We quote further, Mr. Speaker—here is probably more murder:

There is no need for further study. Even if you are going to pass the kind of bill that you have been considering, surely you do not want to close the door on your fund raising program until you have in your possession the sound, basic information concerning your actual needs. And if anybody in this House as yet knows what the actual financial needs are I have not heard about it.

I quote further:

There is no need—I repeat that, Mr. Speaker—There is no need for the haste that has characterized the career of this bill. It is unprecedented that a committee meeting called hurriedly on a Monday—now remember that, these are the words of the Minority Floor Leader at that time—should present a tax program that became a must on the following Thursday.

Here we have a bill that comes out on a Monday and must be passed by 12:30 or 1:00 o'clock on Tuesday night. Why, there is no comparison between the two programs.

Now that motion was defeated. The reason I am making this motion because as you gentlemen will probably remember I was the only Member on the Republican side of the House at that time that voted along with you to delay action on the sales tax bill. I was for the bill, that is true, but I felt the implications and the contents of that bill, certainly in a new kind of a tax bill for this state, should have every consideration and every possible study that we could possibly give it. You people thought so, too, because all of you voted that way. If you are just as sincere today as you were in 1953, I say you will have to support my motion.

I am going to read further, Mr. Speaker, and I will soon be through.

I repeat, interested groups that wanted copies of our tax legislation have been unable to obtain copies because there were not a sufficient number in print.

That is true today.

Now it is proposed that we amend this bill and pass it before anybody outside the confines of this Chamber knows what is in the document.

How true that is right this very minute.

I quote further, Mr. Speaker:

So I say it would be sound practice—I repeat—that, Mr. Speaker—So I say it would be sound practice to have less haste and put this bill on the postponed calendar while we do a bit of studying concerning the actual needs of the Commonwealth * * *

Then I quote further:

I repeat, in the name of common sense and economy to have a little less haste and a little more patient consideration concerning our Commonwealth's financial needs.

That is the reason why I suggest and move that this bill be placed upon the postponed calendar.

Mr. Speaker, that is why I am moving that this bill be placed upon the postponed calendar.

(Following is the material placed in the record by Mr. Auker.)

Mr. ANDREWS. Mr. Speaker, we are not in a position to close our revenue raising program.

We have not as yet heard any intimations from the responsible Committee concerning the financial demands of the General Appropriation bill and the other appropriations which this House will undoubtedly make.

To arbitrarily decide at this time before there has been a review by any responsible body representing this House as to how much money we will need, and to try in that case to fix an ultimate tax figure, is to fly in the face of sound reasoning.

I have no notion and you have no notion as to the amount the general appropriation bill will carry. There has been upon the part of this House no basic study made concerning the actual necessities of the various departments. There has been no consideration of either branch of the General Assembly as to whether the Chesterman Committee findings were sound or were not sound. So far as I know those findings are simply in the process of being tossed out the window.

While we all know that there was no possibility of making a flat ten per cent reduction in expenditures across the board, many of us are convinced that in some instances decided reductions could be made.

The bill now under consideration is scarcely dry from the Printer. No basic study has been made concerning our actual financial needs. I repeat, this bill before us is scarcely dry from the Printer. There have been no available copies to send out to interested groups that wanted to know what we were thinking about in this bill.

There is a need for further study. Even if you are going to pass the kind of bill that you have been considering, surely you do not want to close the door on your fund raising program until you have in your possession some sound, basic information concerning your actual needs. And if anybody in this House as yet knows what the actual financial needs are I have not heard about it.

There is no need for the haste that has characterized the career of this bill. It is unprecedented that a committee meeting called hurriedly on a Monday should present a tax program that became a must on the following Thursday.

I repeat, interested groups that wanted copies of our tax legislation have been unable to obtain copies because there were not a sufficient number in print. Now it is proposed that we amend this bill and pass it before anybody outside the confines of this Chamber knows what is in the document. So I say it would be sound practice to have less haste and put this bill on the postponed calendar while we do a bit of studying concerning the actual needs of the Commonwealth, and find out whether or not all of this talk of economy that we have had is to be tossed out the window along with the Chesterman Committee Report, along with the ambitious design to make cuts clear across the board.

I repeat, in the name of common sense and economy to have a little less haste and a little more patient consideration concerning our Commonwealth's financial and actual needs.

That is the reason why I suggest and move that this bill be placed upon the postponed calendar.

Of course, Mr. Speaker, I would desire a roll call.

Mr. READINGER. Mr. Speaker, I rise to oppose the motion made by the gentleman from Blair, and I ask the Members on this side of the House to vote against the motion.

The gentleman obviously spent a lot of time preparing his speed and I thought it was very well done. However I would like to remind him that during the summer of 1953, if my recollection is correct, his own party, and I do not remember his objecting when they very, very hurriedly had the retail sales tax act drawn, introduced and amended. As a matter fact, when the bill was first introduced in the House, through some error, having been copied after the Ohio law, it was so drawn that the persons who would have collected the tax, the retailers, would have been allowed to keep two per cent. They only collect one per cent, but they were allowed to keep two per cent. In other words the retailers would have kept the entire amount collected and the Commonwealth would have gotten nothing as the bill was originally drawn.

I can distinctly recall calling to the attention of the ten Majority Leader the fact that the bill looked rather silly the way it was drawn. It was very hurriedly amended, and the only reason your party did not shove that bill through with or without mistakes at that time was because you could not find enough votes to pass it. So when you criticize us for moving rapidly and with firmness and decision, even though you say the ink is not dry on the bills and so forth, you are in effect criticizing the tactics of your own party in 1953, had they not been stopped by the fact that some of your other Members disliked the retail sales tax so much that they had to be beaten on the head before they would vote for it. So, I ask the Members once again on both sides to vote against this motion to delay by putting it on the postponed calendar.

Mr. AUKER. Mr. Speaker, just a brief reply to the gentleman from Berks, Mr. Readinger, the Majority Floor Leader. If the gentleman will examine the record on the vote on that date on the sales tax he will find that I voted against my party at that time and voted with the minority party. And, Mr. Speaker, I did so with the sound conviction and with the utmost sincerity in my heart, knowing that that bill was bad, even going against my own party, which I disliked to do, and I am asking the other side of the House in all sincerity to give us time to study this bill because if I had time now, and I am not going to take the time because other colleagues will do it for us, they will tear this bill apart and make it seem like a bunch of feathers, which I think it is at the present time. It so full of loopholes and inconsistencies and so forth, that it is not even funny, and we certainly by all means ought to delay action on this until this new type of a tax bill can be given every study possible.

Mr. READINGER. Just one brief reply, Mr. Speaker. I do not want the gentleman to think I was criticizing him or his motives or anything else. I was merely reminding him that his own party was on the verge of cramming a bill through this House, shoving it through this House with great speed, and if he objected at that time and voted against his own party I commend him, but I still say that what we are doing here is no different at all from what was attempted back in 1953. I do not think that the gentleman should be telling his colleagues how to vote. He may vote against it if he likes, but I do not

think that he is very persuasive when he asks his colleagues to do so.

Mr. AUKER. Another old maxim that goes "Two wrongs never make a right."

The SPEAKER. Will the gentleman from Blair be content with a division?

Mr. AUKER. Mr. Speaker, the Minority Leader in 1953 had a roll call on the same motion, so I feel that I have every right to ask for a roll call on this motion.

The SPEAKER. The gentleman has the right to ask for a roll call if there is a second to it.

Mr. LIPPINCOTT. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, the gentleman stated that in 1953 the sales tax bill was hurriedly amended, I believe that was the language he used. I would like to ask him if any amendments are proposed to the present bill?

Mr. READINGER. There are.

Mr. LIPPINCOTT. I thank the gentleman.

Mr. READINGER. Not to correct the same type of errors though.

Mr. LIPPINCOTT. Mr. Speaker, I would further request the gentleman to state what errors he is going to correct.

The SPEAKER. I have no doubt the Majority Leader will in due season present his table of corrections.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. AUKER and Mr. BANKER. and were as follows:

YEAS—79

Agnew,	Gibb,	Light,	Rubin,
Ashton,	Gibson,	Lippincott,	Smith, C. C.,
Auker,	Goldstein,	Magee,	Steckel,
Banker,	Gramlich,	Mahan,	Stevenson,
Bell,	Guthrie,	Markley,	Stoner,
Blair,	Haudenshield,	McInroy,	Strausser,
Bower,	Helm,	Metz,	Stroup,
Breisch,	Henzel,	Mikula,	Thompson,
Brenninger,	Hocker,	Miller,	Tompkins,
Brown,	Horst,	Moody,	Toomey,
Bullen,	Houk,	Murphy,	Varner,
Connelly,	Isaacs,	Murray, H. P.,	Vaughan,
Davis,	Johnson,	Murray, P. G.,	Wall,
Donahue,	Jones, T. H. W.,	Ogilvie,	Waterhouse,
Donaldson,	Jump,	Parry,	Weidner,
Down,	Kehler,	Pomeroy,	Wescott,
Erb,	Kent,	Price,	Wood,
Eshleman,	Kooker,	Pursley,	Worley,
Ewing,	Kromer,	Rigby,	Ziegler,
Frost,	Leisey,	Royer,	

NAYS—110

Adam,	Frank,	McKeever,	Rovansek,
Amarando,	Frascella,	McLaughlin,	Rudisill,
Anderson, M. S.,	Gaffney,	McWherter,	Sarraf,
Anderson, S. A.,	Garlock,	Meholchick,	Scarcelli,
Barnatovich,	Gelfand,	Mihm,	Schuster,
Bazin,	Greenwood,	Mills,	Sherman,
Boles,	Guss,	Monroe,	Smith, Wm. B.,
Bonner,	Hamilton, R. K.,	Moran,	Snider,
Boory,	Hass,	Muldowney,	Stank,
Branca,	Holt,	Mullen,	Stebbins,
Brennan, A. P.,	Jenkins,	Munley,	Stephens,
Brennan, J. J.,	Jones, G. E.,	Murray, J. J.,	Stone,
Breth,	Kamyk,	Musto,	Swartz,
Bucchin,	Kolankiewicz,	Needham,	Taylor,
Capano,	Kornick,	Olsen,	Thomas,
Cianfrani,	Kubacki,	O'Neil,	Toll,
Cioffi,	Lawyer,	Pacchioli,	Varallo,
Cochran,	Leiby,	Pashley,	Verona,
Comer,	Leonard,	Paulhamus,	Wallace,
Curwood,	Leven,	Petrosky,	Walsh,
Dougherty,	Limper,	Pettigrew,	Wargo,
Eilberg,	Lopresti,	Polaski,	Welsh,
Farabaugh,	Lovett,	Polen,	Whitenight,
Filo,	Lutty,	Readinger,	Williams,
Flint,	Maxwell,	Reibman,	Yetter,
Floyd,	McCann,	Reidenbach,	Yetzer,
Flynn,	McCormack,	Renwick,	Andrews,
	McGee,	Rosen,	Speaker

NOT VOTING—20

Cooper,	Hamilton, W. H.,	Knecht,	Sigman,
Ehrgood,	Heavey,	Kratz,	Wheeler,
Fineman,	Hewitt,	Lafore,	Willaredt,
Foster,	Keller,	Moscrip,	Wilt,
George,	Kline,	Naugle,	Young,

So the question was determined in the negative and the motion was not agreed to.

The second article was read.

On the question,

Will the House agree to the article?

Mr. READINGER offered the following amendments:

Amend Section 202, page 5, line 18, by striking out at the end of the line after the word "of" the following: "food or".

Amend Section 202, page 5, by inserting after line 18 the following: (1) food (2) fertilizer on the farm

Amend Section 202, page 6, line 1, by striking out after the word "sale" and before the word "to" the following: "by a licensed manufacturer"

Amend Section 202, page 6, line 1, by striking out after the word "to" and before the word "licensed" the follwing: "another" and inserting in lieu thereof the following: "a"

Amend Section 202, page 6, by inserting between lines 2 and 3 the following:

(c) the sale or use of tangible personal property

(1) sold by any public utility subject to the tax on its gross receipts derived from the sale of such tangible personal property

(2) the proceeds from an excise tax on which are required by the Constitution of this Commonwealth to be used solely for a limited and specified purpose

Mr. JOHNSON. Mr. Speaker, we have had a copy of these amendments for the last half hour or so. The amendments go farther than were explained to the Members of our caucus. Rather than ask to have the amendments read at length I believe the Majority Leader should rise in his place and explain with particularity what these amendments do, particularly those amendments which have to do with the taxing of the commodity, and so forth.

I don't know that we are so much interested in the administrative features in the tail end of the amendment but we are interested in what has now been exempt and what is included under the bill.

Mr. READINGER. Mr. Speaker, this set of amendments exempts from this tax fertilizer to be used on a farm, when it is sold by manufacturers, it is not taxed.

Most of the other amendments on page 1, are simply rewording of the bill to make that amendment fit in.

If you will refer to your bill on page 6, there is an insertion made between the lines 2 and 3 on page 6. And two important changes are made in the bill by this amendment. The first is that property sold by any public utility which is subject to the tax on its gross receipts derived from the sale of such tangible personal property, is exempt under the provisions of this bill.

The second important amendment is that the proceeds from an execise tax on which the revenue is required by

the constitution to be used solely for a limited and specified purpose. That revenue is also exempt under this bill.

As originally drawn the bill had not specifically exempted a tax on fertilizer only to be used on a farm, nor these sales of tangible personal property by a public utility, nor did it exempt the sale of a commodity, the proceeds of which would have to be paid into, for example, the motor license fund. The way the amendment now changes this bill, all those items will be exempt from this tax.

Did I answer the gentleman's question completely?

Mr. JOHNSON. Mr. Speaker, has the gentleman just offered the amendments which are on two pages so far?

Mr. READINGER. Yes, Mr. Speaker.

Mr. JOHNSON. You offered the amendment.

Mr. READINGER. I have only offered the two page amendments which are to Aritcle II of the bill. I intend to present other amendments.

Mr. JOHNSON. I would suggest the gentleman present the other amendments and then explain them. Then I will probably want to interrogate him on the amendments.

Mr. READINGER. May I ask for a ruling from the Chair as to whether or not it is proper to vote on these amendments prior to the introduction of the other amendments?

The SPEAKER. The Chair would suggest that the House vote on these amendments since they have been offered separately. Then if possible the gentleman present the amendments to all the other sections so that the amendments as a whole may be debated and there be one roll call on all the amendments succeeding these or a division whichever the floor leaders elect.

Mr. JOHNSON. Mr. Speaker, for the benefit of the Members of the House, particularly on the minority side, this first set of amendments takes out of the taxing features of the bill, fertilizer on the farm. It also eliminates from taxation tangible personal property sold by any public utility subject to the tax on its gross receipts derived from the sale of such tangible personal property, and also eliminates from the bill those products, gasoline, motor fuel, products of motor transportation which are presently earmarked by the Constitution to go to the motor license fund. That is the gist of this first set of amendments. Am I not right, Mr. Readinger?

Mr. READINGER. Mr. Speaker, did I understand you to suggest that we should offer all the other amendments and discuss them before voting on them?

The SPEAKER. The Chair will state that the matter now before the House are the amendments under discussion by the Majority Floor Leader.

The question is will the House agree to the amendments offered by the gentleman from Berks, Mr. Readinger?

Mr. CHARLES C. SMITH. Mr. Speaker, if I may just get into this now, I think some Members might want to vote on the fertilizer exemption and probably not on the oil. I think the amendments should be taken individually if it meets with the approval of the Chair.

The SPEAKER. That is the way the Chair is now taking them.

Mr. CHARLES C. SMITH. I thank the Speaker.

QUESTION OF INFORMATION

Mr. AUKER. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. AUKER. Mr. Speaker, do these amendments contain the fertilizer amendment?

The SPEAKER. That is right.

The SPEAKER. There appears to be some confusion.

The Chair thought the Majority Leader explained very clearly what the amendments now pending covered. They cover the exemption of fertilizer on the farm; they cover the exemption of food; they cover the sale of tangible personal property by utilities. Also they cover the proceeds of the excise tax that are specifically dedicated to some specific purpose under existing law of the Commonwealth.

Mr. READINGER. Mr. Speaker, I am afraid I wasn't following your thought. But I would suggest that the Minority Leader desires that we vote on the amendment to Section 202, page 5, which is fertilizer exemption. And thereafter vote on the amendments to page 6, which deals with the other exemptions.

The SPEAKER. The Majority Leader asks for a division of the question.

On the question recurring,

Will the House agree to the amendments?

On a rising vote, one hundred and six Members or more than a majority having voted in the affirmative, the amendments were agreed to.

On the question,

Will the House agree to the amendments on page 6 of the bill.

They were agreed to.

Mr. READINGER offered the following amendment to Article II.

Amend Section 201, page 5, line 9, by inserting after the word "property" and before the word "purchased" the following: "manufactured."

Amend Section 201, page 5, line 11, by striking out at the end of the line after the word "the" the following: "purchase," and inserting in lieu thereof the following: "acquisition."

Amend Section 201, page 5, line 14, by striking out at the end of the line after the word "been" the following: "claimed," and inserting in lieu thereof the following: "determined."

Amend Section 201, page 5, line 15, by striking out at the end of the line after the word "three" the following: "(d)" and inserting in lieu thereof the following: "(c)."

Amend Section 201, page 5, by inserting between lines 15 and 16 the following: "(c) use of all alcoholic beverages purchased by the Liquor Control Board of the Commonwealth after the effective date of this act for use within the Commonwealth payable at the time of acquisition thereof except in any case where tax previously has been or is paid under subsection (a) or (b) of this section upon the use or sale of such alcoholic beverages and with respect to which credit has not been determined pursuant to section two hundred three (c)."

Amend Section 203, page 6, line 3, by striking out at the end of the line after the word "Tax" the following: "There shall be allowed to every."

Amend Section 203, page 6, by striking out lines 4 to 7, inclusive, and inserting in lieu thereof the following: "(a) Allowance of Credit There shall be allowed to a licensee a credit equal to the tax paid under this act with respect to tangible personal property.

(1) shipped to locations outside the Commonwealth for use outside the Commonwealth.

(2) sold to the United States.

(3) except for alcoholic beverages sold to the Commonwealth instrumentalities or political subdivisions thereof. Provided however That in any case in which a licensee claiming the credit cannot support the claim by proper documentary proof of the amount of tax paid the department may allow such credit in an amount equal to the probable tax paid with respect to such tangible personal property Upon the failure of the licensee claiming such credit to establish to the satisfaction of the department the probable tax paid on any tangible personal property the department shall disallow all credit with respect to such property."

Amend Section 203, page 6, line 8, by striking out at the beginning of the line before the word "Tentative" the following: "(a)," and inserting in lieu thereof the following: "(b)."

Amend Section 203, page 6, line 9, by striking out after the word "department" and before the word "issue" the following: "shall," and inserting in lieu thereof the following: "may."

Amend Section 203, page 6, line 10, by striking out at the beginning of the line before the word "upon" the following: "taxpayer," and inserting in lieu thereof the following: "licensee."

Amend Section 203, page 6, line 11, by striking out at the end of the line after the word "credit" the following: "for projected probable out-of-state shipment of tangible."

Amend Section 203, page 6, by striking out lines 12 and 13.

Amend Section 203, page 7, line 2, by striking out at the end of the line after the word "credit" the following: "against the tax liability to which he."

Amend Section 203, page 7, by striking out lines 3 to 6, inclusive, and inserting in lieu thereof the following: "for the period covered by such return in accordance with such certificate."

Amend Section 203, page 7, by striking out lines 7 and 13, inclusive, and inserting in lieu thereof the following:

"(c) Actual Credit In filing the return required by section four hundred twenty (b) a licensee shall be allowed the credit provided for in subsection (a) of this section with respect to all such tangible personal property either sold to the United States or the Commonwealth instrumentalities or political subdivisions thereof or shipped to locations outside the Commonwealth."

Amend Section 204, page 7, line 14, by striking out at the end of the line after the word "tax" the following: "allowed" and inserting in lieu thereof the following: "determined by."

Amend Section 204, page 7, line 15, by striking out after the article "a" and before the word "under" the following: "taxpayer" and inserting in lieu thereof the following: "licensee."

Amend Section 204, page 7, line 15, by striking out after the word "three" and before the word "is" the following: "b)" and inserting in lieu thereof the following: "(c)."

Amend Section 204, page 7, line 15, by striking out after the word "greater" and before the word "the" the following: "that" and inserting in lieu thereof the following: "than."

Amend Section 204, page 7, line 16, by striking out after the word "the" and before the word "shall" the following: "balance" and inserting in lieu thereof the following: "difference."

On the question,

Will the House agree to the amendments?

Mr. DONALDSON. Mr. Speaker, may I interrogate the Majority Leader for just a moment on that particular amendment?

The SPEAKER. The gentleman is within his rights. Will the Majority Leader consent to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. DONALDSON. Mr. Speaker, am I to understand that we are now exempting for instance a power bill which comes from a public utility which pays its tax on the gross receipts, is that correct?

Mr. READINGER. A power bill did you say?

Mr. DONALDSON. The power company from paying the tax.

Mr. READINGER. Is the gentleman speaking about a bill for electricity?

Mr. DONALDSON. That's right.

Mr. READINGER. We are exempting that. But only as long as the utility is covered by the gross receipts tax.

Mr. DONALDSON. But then if a particular municipality operated its own power plant it would have to pay the tax?

Mr. READINGER. No, municipalities are exempt or will be exempt under another amendment.

Mr. DONALDSON. I thank the gentleman.

Mr. READINGER I desire to offer the following amendments to House Bill 1879.

The SPEAKER. The amendments will be read by the Clerk for the information of the House.

The Chair would like to inquire from the Majority Leader whether we are now in a position to vote on all of these other amendments to Article II as a unit?

Mr. READINGER. If it is agreeable to the minority side it is certainly agreeable to me.

The SPEAKER. The Chair would like to inquire the thought of the Minority Leader as to the manner in which these amendments should be handled.

Mr. CHARLES C. SMITH. Mr. Speaker, I think it will meet with our approval if it does with the Chair's that we vote on all of these other amendments at one time because they are all very similar.

The SPEAKER. The Chair thanks the gentleman. The Clerk will read the further amendments of Article II.

Mr. READINGER. Mr. Speaker, for the information of the Members of the House I would like to discuss these amendments as briefly as possible. Many of them are designed to make more clear the intent of this bill and to make more effective the method of collection of this tax.

For example there is an amendment included herein which will be inserted on page 3 defining manufacturers' sale price, more specifically than the original bill described it.

On page 3, an amendment is being inserted to specifically except from the imposition of the tax the purchases or sales made by political subdivisions by bodies politic or corporate, but not including the United States or the Commonwealth.

In other words the intent of these amendments is to remove from the necessity of paying the tax the Commonwealth, the subdivisions under the Commonwealth and the United States, with one exception, and the exception is that liquor purchased by the Pennsylvania Liquor Control Board shall remain taxable.

There is an amendment to be inserted on page 6 concerning the allowance of credits which makes it more clear than the original bill that goods manufactured in Pennsylvania and shipped to locations outside of the Commonwealth for use outside of the Commonwealth are exempt from the tax, also goods sold to the United States and goods sold to the Commonwealth, its instrumentalities or political subdivisions.

There are more amendments on page 7 relating to the computation of the actual credit to be given to a person who apparently owed the tax, but because of shipments

of interstate commerce or sales to municipalities and so forth it actually is not liable for the tax.

There are amendments inserted on page 13, inserting the penalty, or what should happen where a taxpayer fails to file a return.

There are other sections to be added to page 23 or amendments to be inserted on page 23 concerning the penalty imposed for evading or trying to evade or violating the tax act here.

Then on page 28 there is a section amended or added concerning cooperation with other governments in connection with the administration of this tax act. In other words the bill as originally drawn has been carefully gone over since it was originally drafted and these amendments are being offered not to change the substance of the law as originally introduced but to clarify and to spell out in certain instances those persons who are not to be included in this tax.

I will be happy to answer any questions that I may be able to answer concerning these amendments, but I do not see much advantage in reading them all in detail because as I say most of them are correctional amendments or clarifying amendments. I ask the membership of the House to vote for them as it will improve the original draft of the bill.

Mr. JOHNSON. Mr. Speaker, I just want to say to the membership, and particularly to those on the minority side, that having had some opportunity to glance at the amendment on page 1 while the Majority Leader said that the amendments on that first page were correctional he did inadvertantly omit the fact that the word mining is inserted which would have the effect of excluding from the definition of manufacturing, mining.

Then on page 2 in determining the price of an article which would be subject to this tax in the absence of any figures as to what the manufacturer sales price is, I take it from these amendments that the sale price shall be presumed to be the actual price paid for the tangible personal property by any taxpayer, meaning that if you as an individual go out into Ohio and buy something for $250, if you do not know what the manufacturer's sale price is and can not ascertain it, the price on which you will compute the 3 and one-half per cent will be the retail price that you have paid for it. I mean that is my interpretation of it. I could be wrong, and I expect to have something to say about that later.

It is true that under this bill it definitely spelled out that the Commonwealth and its political subdivisions and United States government are not subject to the tax but they do make this important exception. When the Pennsylvania Liquor Control Board buys liquor outside of Pennsylvania they will presumably, under this amendment, pay into the coffers of the state the use tax. Why I don't know, but there may be some reason for a gimmick like that. As we understand this particular amendment, the Liquor Control Board will have to pay the use tax on the liquor. That will raise the price of liquor perhaps, and the markup will be based on the extra three and one-half cent excise tax, I presume.

The remainder of the pages of amendments are correctional and make the bill stronger from a collection standpoint, and are a little too involved for us to digest at this time.

Mr. READINGER. Mr. Speaker, I want to thank the Minority Whip for his comments. I completely overlooked the amendment concerning the insertion of the word "mining" so that it would be clear that coal would not be included as a taxable item. I think his comments on the other amendments were well thought out and well phrased I appreciate his assistance in this matter on a rather involved set of amendments to a rather involved bill. I think both of us are doing our best to make clear to the membership what you are being asked to vote on.

Mr. LIPPINCOTT. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader consent to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, the gentleman has stated that these are involved amendments with which I agree. After listening to the explanation they are about as clear as mud to me. I would appreciate the gentleman stating to the Members how long he has had to consider these involved amendments before making his explanation to the Members.

Mr. READINGER. Mr. Speaker, I would say I had an ample amount of time to read them, consider them and discuss them with the Minority Leader.

Mr. LIPPINCOTT. Mr. Speaker, would the gentleman say that he has had approximately an hour to look at them?

Mr. READINGER. Mr. Speaker, I have had them longer than that.

Mr. LIPPINCOTT. Mr. Speaker, has the gentleman had all the amendments longer than an hour?

Mr. READINGER. I have.

Mr. LIPPINCOTT. Mr. Speaker, assuming that we come back here at 12:01 a. m., and assuming that the amendments are to be printed in the bill before we vote on it, will the gentleman estimate approximately how long the Members will have to see the bill with the amendments in it before we vote on it?

Mr. READINGER. Mr. Speaker, I assure the gentleman that I will withhold asking for a final vote on the bill until he and his colleagues have had ample time to read the bill in full. I would say that would take approximately 20 minutes.

Mr. LIPPINCOTT. Mr. Speaker, will the gentleman state whether the bill is now in print with all the amendments that have just been offered in it?

Mr. READINGER. What was the question?

Mr. LIPPINCOTT. Will the gentleman state whether the bill with the amendments that have been discussed in the last few minutes is now in print.

Mr. READINGER. Mr. Speaker, I would say it is not.

Mr. LIPPINCOTT. Mr. Speaker, will the gentleman state when it will be in print?

Mr. READINGER. Mr. Speaker, my best guess would be approximately 12:01 tonight.

Mr. LIPPINCOTT. I thank the gentleman.

Mr. WALLACE. Mr. Speaker, I would like to interrogate Mr. Readinger.

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, consent to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. WALLACE. It mentions here about mining, what amendments are in this bill about mining?

Mr. READINGER. The amendments that are now be-

fore us provide for the addition or insertion of the word "mining" on page 2, line 16, of the bill, which now reads, I will start reading on line 14 in order that the gentleman may know where the word "mining" is inserted. This is under the section of definitions, subsection d, following the word manufacture.

> The performance of the operation or operations which place tangible personal property in a form different from that in which it is acquired except that harvesting and at this point the word "mining" is inserted "transportation and operations incidental thereto shall not be considered as operations bringing about a change of form or condition for the purpose of this definition.

In other words this excludes coal which is mined from the definition of manufactured goods.

Mr. WALLACE. Mr. Speaker, coal is not a manufactured product, it is a processed product. The hard coal areas produce, I would say, 30 million tons of coal, and I am going to say this, if you are going to exempt coal, I don't think there should ve a tax on gas, or there should not be a tax on oil.

I have stated here once before that they are trying to exempt coal, and if you are going to exempt processed coal you are going to lose $5,500,000 on 30 million tons of coal that are processed. I don't think that is fair. Eeverybody is going to jump in here with amendments. I think every Member in this House is entitled to know what is going on.

A few of the items have been mentioned. When the word "mining" was mentioned, I don't think everybody understood just what was said. I am going to say this. I do not think it is fair to you people that use gas, you people that use oil, when you are going to exempt coal. I come from a hard coal section.

I am going to say this, that the coal companies are destroying our properties, and I say they should pay their proportionate taxes on the price of a ton of coal.

I say this amendment insofar as mining is concerned, should be stricken out, and I for one am going to vote against the amendment if it is in there. I don't think the definition is being clarified to the people of this House. I say what is fair for one should be fair for everybody. Everybody is trying to make a grab. Let us exempt fertilizer, let us exempt coal, let us exempt clothing, and that is what you are going to get in this bill.

I say this, the coal industry is over a billion dollar industry, and I say I think they should pay their portion of the tax in order to help the Commonwealth. What we are fighting for today is taxes for the good of everybody.

Mr. McCANN. Mr. Speaker, being also a Representative from a coal producing county, and the largest bituminous coal county in Pennsylvania, Greene County, we definitely want that amendment in there to eliminate bituminous coal which is a mined commodity.

We produce in our county alone an average of 75 thousand tons of bituminous coal a day which goes to the captive mines, from the captive mines to the steel mills to be used in steel products. They are taxed, the steel is taxed. It is a double taxation and all of the bituminous coal representatives here are in favor of the amendment which excludes mined products.

Mr. CURWOOD. Mr. Speaker, I come from the hard coal region and we certainly want that exemption in the hard coal region.

Mr. GOLDSTEIN. Mr. Speaker, I would like to interrogate the Majority Leader and ask him several questions regarding coal by-products.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. GOLDSTEIN. In Allegheny County a product known as Wisco which is processed from coal is generally sold to householders. Will this be exempt from the tax?

Mr. READINGER. May I ask the gentleman what this product is? You have given the name of it, but I don't recognize it. Is it a coal briquette, something that is fashioned by a process after the coal as been mined?

Mr. GOLDSTEIN. That is correct substantially.

Mr. READINGER. In my opinion under the terms of this bill, if coal is taken and fashioned into something other than its original state, whether it be pressed into briquettes or made into the shape of an image or something of that kind, it would be a manufactured product and as such it would be taxable.

Mr. GOLDSTEIN. Mr. Speaker, will coke be taxable under this act?

Mr. READINGER. I would say it would be. It is a manufactured product, manufactured from coal.

Mr. GOLDSTEIN. I thank the gentleman.

Mr. READINGER. In my opinion many other by-products of coal, such as tar removed therefrom and sold as a manufactured product which is taken from coal would be taxable also.

Mr. WALLACE. Mr. Speaker, may I ask who has offered this amendment insofar as mines are concerned, or coal?

The SPEAKER. The amendments now pending are offered by the Majority Leader.

Mr. WALLACE. Mr. Speaker, I would like to interrogate Mr. Readinger.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. WALLACE. Will the gentleman please tell me who offered this amendment to exempt coal from taxation?

Mr. READINGER. I have offered it in behalf of the administration.

Mr. WALLACE. You offered it. Will you please tell me now if coal is taxed or bituminous coal is taxed?

Mr. READINGER. Whether it is taxed now?

Mr. WALLACE. That's right.

Mr. READINGER. I say it is not taxed.

Mr. WALLACE. Doesn't the gentleman think, I have mentioned this before, and you have your Department of Commerce here to verify it, that the coal industry is a billion dollar industry? I think it is the biggest industry in the state of Pennsylvania today. I am talking about bituminous and anthracite coal. Don't you think that they should be taxed?

Mr. READINGER. I do not.

Mr. WALLACE. Why?

Mr. READINGER. We are dealing here with a tax on manufactured goods. In my opinion coal that is mined is not manufactured goods and should not be taxed under this bill. In my opinion it should not be taxed at all.

Mr. WALLACE. Mr. Speaker, do you realize that when a man goes into the bowels of the earth, two men, they

move from eight to eighteen cars of coal, and at the price of coal today, that with the profit on that coal, the coal companies are paying a dividend today. Each and every one of the coal companies are paying a dividend today. Don't you think that they should be taxed? The only thing they would be paying is about 5 cents on a ton of coal. Don't you think that it is only fair that every individual corporation, whether they are a manufacturer or a processor, in this state should be taxed? Why exempt one and not the other?

You are going into something here, you are offering amendments, whether you are doing it for patriotism, I do not know. I come from a coal mining town and I come from an anthracite county and I think that everybody should be taxed in proportion.

I am asking you this question, why is this being offered? I don't think you are telling the truth when you say you offered it.

The SPEAKER. The gentleman is distinctly out of order in making a personal reflection. The gentleman is not really discussing the intent of this bill. He will confine himself to the subject before the House and refrain from personal allusions.

Mr. WALLACE. Mr. Speaker, could I tell something that is the truth?

The SPEAKER. The gentleman will certainly be permitted to tell the truth, if he will confine himself to a discussion of the matter before the House.

Mr. WALLACE. If I am making an unjust accusation then I am sorry. But it has been told to me that there is a certain lobbyist in this House—

The SPEAKER. The gentleman is distinctly out of order.

Mr. WALLACE. I am not, I am trying to convey my point.

The SPEAKER. The gentleman will either be in order or take his seat.

Mr. WALLACE. I am only trying to convey what has been told to me.

The SPEAKER. The gentleman is distinctly out of order.

Mr. WALLACE. I think the Members deserve to know the truth. Insofar as exonerating the coal companies from this tax, that has been presented by a lobbyist representing the United Mine Workers.

The SPEAKER. The only matter before this House are the amendments proposed by the Majority Leader.

Mr. WALLACE. I am asking for the truth and I think the question is being evaded.

Mr. READINGER. Mr. Speaker, the gentleman is obviously agitated and does not believe me when I say—

The SPEAKER. The Chair has forgotten his mental thermometer to register heat. He should have brought it.

Mr. READINGER. It would be good on the subject of coal.

The gentleman, I say, does not seem to believe me when I say that this amendment was offered on behalf of the administration, and it represents the administration's thinking as to what should and should not be included in this tax.

I do not know what his personal opinions are about the sociological aspect of taxing or not taxing, and at the moment I am not interested. We are dealing with a manufacturer's excise tax. In my opinion and the opinion of the administration, mined coal is not a manufactured product and does not belong in this act. This amendment specifically says that it is not in this act. That is about all there is to it.

On the question recurring,

Will the House agree to the amendments?

On a rising vote, one hundred and six Members or more than a majority having voted in the affirmative, the amendments were agreed to.

On the question,

Will the House agree to the Article as amended?

It was agreed to.

The third article was read and agreed to

The fourth article was read.

On the question,

Will the House agree to the article?

Mr. KENT offered the following amendments:

Amend Sec. 480, page 26, line 1, by striking out "may" and inserting in lieu "shall."

Amend Sec. 480, page 26, line 2, by striking out "may" and inserting in lieu "shall."

Amend Sec. 480, page 26, line 4, by inserting after "property."

This evidence shall include in the bill, invoice and sales tag a statement that the "Pennsylvania 3½% Excise Tax has been (or will be) paid." In case of small articles to which the retail dealer prefers not to have individual sales tags attached, open displays of such articles shall be made including the said tax payment statement in a conspicuous place.

Any violation of this section will subject the Licensee to a fine not exceeding fifty dollars ($50.00) upon a summary conviction for each offense, and/or the suspension by the Department of his license for a period of not less than thirty days.

On the question,

Will the House agree to the amendments?

Mr. READINGER. Mr. Speaker, I do not think there is any point in jockeying for position in this field. I am rising to ask the membership to vote against this amendment offered by the gentleman from Crawford.

The vocal members of the Republican party have been making a great deal out of the fact that the tax as proposed in this bill is a hidden sales tax. They apparently are well determied to keep it from hiding.

This amendment which was just read to us provides for an amendment which says that the Department of Revenue may establish by rules and regulations a procedure whereby sellers of tangible personal property may provide purchasers of such property with evidence that the tax imposed has been paid.

I would have no objection whatsoever if the gentleman had offered an amendment to this section stating that the Department shall establish rules and regulations concerning furnishing of such evidence, but it goes further than that. It says in effect that if it is something that a tag can be placed on immediately, it should contain a tag which says the Pennsylvania three and a half percent excise tx has been or will be paid. But, of course, if the tag doesn't fit, then his amendment says that open displays of such articles shall be made, including the said tax payment statement, in a conspicuous place.

I think this is more of a political move than anything else and I am asking the membership to vote against it. If necessary an amendment putting the word "shall" in this section can be made in the Senate and it will be carried out. I can't imagine the Department of Revenue not issuing such a ruling or regulation, however, since

the bill says "may" they might not do it. But that thing goes much further in my opinion than is necessary.

Mr. KENT. Mr. Speaker, first of all I would like to assure the Majority Leader that there is no political intent contained in this amendment. The person who drafted this bill, and I don't presume that it was the Majority Leader, must have had the same idea in mind as is contained in the amendments when they did provide for the provisions which are in Section 480, subsection B, which Mr. Reading has just read.

There is a great field open under this tax bill, for serious and expensive fraud to be brought upon conscientious, honest manufacturers, dealers, and retailers in Pennsylvania, as well as upon the Commonwealth of Pennsylvania and the people who are ultimately going to pay this tax.

The sole purpose of this amendment is to make the law such that it is not left up to the discretion of a board or a department or bureau within our government but I thing it is important that this legislative body itself more clearly define that the tax is being paid on the manufactured goods on which they are being paid. That is the only purpose of this amendment, and I don't think it would be fair at all to the taxpayers or manufacturers who are dealing honestly with the government and the people to subject them to unfair competition from unscrupulous dealers, and it is not beyond conception by any means that a dealer or retailer could go outside of the state of Pennsylvania and bring in valuable goods and products and sell them over the counter. He would still be licensed under the Act, but sell them over the counter at a lower price and in unfair competition with the honest retailer who is trying to meet the requirements of the law as it would be if this bill is passed. That is the only purpose, so that the people who buy goooods and are paying taxes into the Commonwealth of Pennsylvania for all the benefits and services which they receive from this state of Pennsylvania. It is only right that they should know or have some guarantee or some protection against unscrupulous people with whom they are dealing, and know that their money is going to the things which they think it is going to, and that it ultimately arrives here in the Department of Revenue in Harrisburg rather than in the pocket of some unscrupulous retailer, manufacturer or dealer who is covered under the law.

For this reason, we think, Mr. Speaker, that in fairness, not only to the people of and to the Commonwealth, but to the legitimate dealers, retailers of Pennsylvania that this amendment should be included in the bill so that they do have at least the protection which they deserve and that it should not be left to the wisdom which may be good or bad of some bureau head or department head.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the article?

Mr. READINGER offered the following amendments:

Amend Section 421, page 10, line 6, by striking out after the word "during" and before the word "Except" the following: "a calendar month" and inserting in lieu thereof the following: "any five (5) week period".

Amend Section 441, page 12, line 15, by striking out at the end of the line after the word "assessment" the following: "No taxpayer shall have any right to appeal from such an".

Amend Section 441, page 12, by striking out line 16.

Amend Section 441, page 13, by inserting between lines 5 and 6 a new subsection to read as follows: "(c) Failure to File Return.—In the event that any taxpayer fails to file a return required by this act, the department may assess the tax due and such tax shall be paid within thirty (30) days after such assessment."

Amend Section 442, page 13, line 6, by striking out at the end of the line after the word "an" the following: "addi-".

Amend Section 442, page 13, line 7, by striking out at the beginning of the line before the word "assessment" the following: "tional".

Amend Section 446, page 16, line 1, by inserting after the word "Tax" and before the word "The" the following: "(a) Collection by Department.—"

Amend Section 446, page 16, by inserting between lines 3 and 4 a new subsection to read as follows: "(b) Collection by Persons Maintaining Place of Business in Commonwealth.—Every person maintaining a place of business in this Commonwealth and making sales of tangible personal property for storage, use, lease or consumption in this Commonwealth if not otherwise exempted shall at the time of making the sales or if the storage use or consumption is not then taxable hereunder at the time the storage use or other consumption becomes taxable collect the tax from the consumer".

Amend Section 447, page 16, line 6, by striking out after the word "of" and before the word "tax" the following: "additional".

Amend Section 461, page 19, line 16, by inserting after the numeral "1" and before the word "Failure' the following: "Filing of Incomplete Return or".

Amend Section 461, page 19, line 16, by inserting after the word "Where" and before the word 'no" the following: "an incomplete return is filed or".

Amend Section 461, page 19, line 17, by inserting at the end of the line after the word "time" the following: "as to taxable transactions not reported".

Amend Section 472, page 23, line 19, by inserting after the word "thereof" and before the word "shall" the following: "or assists any other person to evade or defeat the tax imposed by this act the payment thereof or to receive a refund improperly."

Amend Section 473, page 25, line 1, by inserting after the word "person" and before the word "shall" the following: "or shall provide any person with a false statement as to the payment of tax with respect to particular tangible personal property."

Amend Section 480, page 26, line 3, by inserting after the word "with" and before the word "evidence" the following: "documentary."

Amend Section 480, page 26, line 3, by inserting after the word "evidence" and before the word "that" the following: "of manufacturer's sale price and/or."

Amend Section 482, page 26, line 16, by inserting after the word "any" and before the word "taxpayer" the following: "person, licensee or."

Amend Section 482, page 26, line 16, by striking out after the word "taxpayer" and before the word "including" the following "or supposed taxpayer."

Amend page 28, by inserting between lines 3 and 4 a new section to read as follows:

"Section 484. Cooperation With Other Governments. Notwithstanding the provisions of section four hundred eighty-three, the department may permit the Commissioner of Internal Revenue of the United States or the proper officer of any state or the authorized representative of either such officer to inspect the tax returns of any taxpayer or may furnish to such officer or his authorized representative an abstract of the return of any taxpayer or supply him with information concerning any item contained in any return or disclosed by the report of any investigation of the return of any taxpayer. Such permission shall be granted only if the statutes of the United States or of such other state as the case may be grant substantially similar privileges to the proper officer of

the Commonwealth charged with the administration of this act."

On the question,
Will the House agree to the amendments?
They were agreed to.
The Article as amended was agreed to.
The fifth article was read.
On the question,
Will the House agree to the article?
Mr. READINGER offered the following amendments:

Amend Section 501, page 28, line 6, by striking out at the end of the line after the word "Clause" the following: "Nothing contained in this act shall be."

Amend Section 501, page 28, by striking out lines 7 and 8, and inserting in lieu thereof the following:

"Notwithstanding anything contained in any law to the contrary, the validity of any law or any ordinance or part of law or of any ordinance or any resolution or part of any resolution and any amendments or supplements thereto, now or hereafter enacted or adopted by the Commonwealth or any political subdivision thereof providing for or relating to the imposition levy or collection of any tax shall not be affected or impaired by anything contained in this act."

On the question,
Will the House agree to the amendments?
They were agreed to.
The Article as amended was agreed to.
The title was read.
On the question,
Will the House agree to the title?
Mr. READINGER offered the following amendments:

Amend page 1, line 2 of the title, by striking out after the word "sale" and before the word "use" the following: "of certain tangible personal property and on the."

Amend page 1, line 4 of the title, by striking out after the word "for" and before the word "payment" the following: "the reporting and." and inserting in lieu thereof the following: "licenses reports."

Amend page 1, line 4 of title, by striking out at the end of the line after the word "tax" the following: "payment of."

Amend page 1, line 8 of the title, by inserting after the syllables "tailers" and before the word "and" the following: "corporations partnerships associations."

The first article was read.
On the question,
Will the House agree to the article?
Mr. READINGER offered the following amendments:

Amend Section 2, page 2, line 16, by inserting after the word "harvesting" and before the word "transportation" the following: "mining."

Amend Section 2, page 3, by striking out lines 11 to 18, inclusive, and inserting in lieu thereof the following:

"(f) Manufacturer's Sale Price. (1) The total consideration for the lease or first transfer of tangible personal property following the completion of manufacture

"(2) Where another person has supplied to the manufacturer for a reduced or no consideration tangible personal property or a right or license which is an ordinary and necessary element of manufacturing cost the manufacturer's sale price shall include the value of such property right or license at the time of the lease or first transfer of the tangible personal property following the completion of manufacture

"(3) For the purpose only of imposition of tax in the absence of satisfactory documentary evidence to the contrary the manufacturer's sale price shall be presumed to be the actual price paid for the tangible personal property by any taxpayer

"(4) Where the person subject to the tax under section two hundred one (b) is also the manufacturer of the tangible personal property with respect to which such tax is imposed the manufacturer's sale price shall be the prevailing price at which similar tangible personal property in similar quantities is commonly sold at the time of use."

Amend Section 2, page 3, line 19, by striking out after the word "person" and before the syllable "cor-" the following: "partnership association or" and inserting in lieu thereof the following: "association partnership"

Amend Section 2, page 3, line 20, by inserting after the syllables "poration" and before the word "whenever" the following: "political subdivision body politic or corporate but not including the United States or the Commonwealth"

Amend Section 2, page 4, line 4, by inserting after the word "sells" and before the word "to" the following: "tangible personal property"

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the bill on second reading as amended?

Mr. VARNER. First of all, Mr. Speaker, I want to say to you that some months ago, back on July 26, I predicted that the day would come when we would be passing another tax program here in the House. Well, the day is here. I am getting a little hungry, a little tired and I do not want to take too long, but I do want to ask some questions about this bill.

I would like to interrogate the Majority Leader, Mr. Readinger, if I am permitted to do so.

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. VARNER. Mr. Speaker, I would like to know how much it will cost to administer this excise sales tax program?

Mr. READINGER. The best figure that I have been able to obtain as an estimate is $4 million a biennium.

Mr. VARNER. $4 million a biennium? Mr. Speaker, I would also like to know how many hundred employes the administration figures to have collecting this tax money from the people of Pennsylvania?

Mr. READINGER. I have no figures on that, but I presume it would be many, many less than were necessary to administer the retail sales tax. There would not be as many outlets.

Mr. VARNER. Mr. Speaker, how many was that?

Mr. READINGER. I have no figures on it. I would estimate somewhere in the vicinity of fifteen hundred people. That is purely a guess on my part, though.

Mr. VARNER. I would like to know if natural gas is going to be taxed under this bill? I listened to all this hot air and these BTU's that they were shooting off here a while ago and I still do not know whether natural gas is going to be taxed under the bill. Mr. Readinger, I would like to have that answer.

Mr. READINGER. I would answer the gentleman by saying that I believe this session of the Legislature will impose a gross receipts tax on gas, and therefore, if that happens the gas will not be taxable under this bill. But if the gross receipts tax is not imposed upon gas, it is expressly taxable under this bill.

Mr. VARNER. If you refer to line 14, page 2 under manufacturer, I cannot see where natural gas is a manufactured product. It is a natural product and in most cases in western Pennsylvania, which I am familiar with, and

a lot of our people here are, we believe that natural gas is a natural product. It is not manufactured. There is in certain areas manufactured gas. Of course, I am not satisfied with your answer but I know it is probably as good as you can give me at this time.

Now, Mr. Readinger, I would also like to know if this is a manufacturers' excise tax as the title of the bill states, why are retailers required to register and pay a $2 fee for registering?

Mr. READINGER. The reason for this is that the state must know where every outlet for this sale of manufactured goods happens to be so that their auditors may go around and check. For example, a retailer might buy thousands of dollars worth of goods from a manufacturer in another state and if we did not even know where the retailers were, we might have a little trouble collecting the tax. We do not want that trouble, we want to know where they are and we want to visit them, we want to ask them what they have been buying and see their receipts and make sure, in line of what Mr. Johnson spoke of awhile ago, that we are collecting all the tax that is due the Commonwealth of Pennsylvania, so that there is equity among the taxpayers, nobody escapes.

Mr. VARNER. Thank you Mr. Speaker; thank you, Mr. Readinger.

Mr. VARNER. I would just like to say briefly that the events of the past few months have shown, as it was shown during the campaign last year in 1954, that mandated expenditures for public services could not be cut as Governor Leader had so glibly promised in that campaign. Instead they have been increased.

Now I charge here today again that Governor Leader campaigned, and was elected to the state's highest executive office on bad faith. He is continuing this course of action here today by advocating a tax program which is rank in its inequities and a further breach of his many campaign promises. We had amendments prepared today to amend out clothing and shoes for the people of Pennsylvania, they are going to have to pay on prescription medicines, but we would be fighting a futile battle to offer these amendments, and we are not going to take the time of the House to do that. But I do feel that these things should be amended out of this bill.

Mr. WORLEY. Mr. Speaker, I would like to interrogate the Majority Leader, the sponsor of this bill.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. WORLEY. Mr. Speaker, are seeds and spray materials taxable under this bill?

Mr. READINGER. Seeds and what?

Mr. WORLEY. Spray materials used for agricultural purposes.

Mr. READINGER. I would say they are not exempt. I would not consider a spray a fertilizer. I am not much of a farmer but is a spray a fertilizer? I do not know whether they spray any fertilizer so if they do I would say that type of spray would be exempt.

Mr. WORLEY. Mr. Speaker, are straw and hay taxable under this bill?

Mr. READINGER. I would say they are not. The definition of manufactured goods exempts it by putting in the word "harvesting". The definition of "manufacture" which I read a little while ago says, "except that harvesting, transportation and operations incidental thereto shall not be considered as operation bringing about a change of form or condition for the purpose of this definition." So since hay and straw are harvested, they clearly are not taxable.

Mr. WORLEY. Mr. Speaker would the gentleman care to tell me what his interpretation of the word "harvesting" is as used in this bill?

Mr. READINGER. Well, from a lawyer's viewpoint, when a man raises wheat or alfalfa or something else and cuts it down, puts it into a bundle and puts it into the barn or sends it somewhere, that is "harvesting."

Mr. WORLEY. Is that all the gentleman would say the bill includes?

Mr. READINGER. When you gather in crops I consider that to be harvesting, whatever the crop happens to be.

Mr. WORLEY. Is that all the gentleman says it will include in his opinion?

Mr. READINGER. Well, the gentleman is asking the wrong gentleman. I do not know much about harvesting.

Mr. WORLEY. Well, Mr. Speaker, I would like to further interrogate the gentleman.

Would the gentleman care to tell me whether bailed straw is taxable if sold from one farmer to another?

Mr. READINGER. I would say it is not taxable. It is incidental to the harvesting of that commodity and it is incidental to the transportation of that commodity. It is expressly exempt in the definition of "manufacture."

Mr. WORLEY. I thank the gentleman.

Mr. Speaker, since I have many agricultural constituents, one of whom is the President of the United States, I am very happy that the sponsor took his time at this time to answer my questions for my constituents.

Mr. JOHNSON. I, too, would like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker, as long as I hold out.

Mr. JOHNSON. Mr. Readinger, I am going to interrogate the gentleman on some of the phases of the bill, and I will first want to interrogate him about the problem of the retail merchant in Pennsylvania if this bill passes.

The first thing I want to ask, is what forms will the retail merchants have to file with the Department of Revenue if this bill becomes law?

Mr. READINGER. He will not have to file any forms except his application for a license, unless he purchases directly from an out of state concern any manufactured goods which he then sells in the state of Pennsylvania. He must then file a return because he will have to pay a use tax.

Mr. JOHNSON. Then he will file a use tax return, is that right?

Mr. READINGER. That is right.

Mr. JOHNSON. And how often will he have to file this use tax return?

Mr. READINGER. Each month. He must file a return before the end of the calendar month following the month in which he makes the purchase.

Mr. JOHNSON. Am I right, the month following his purchase? Let us take the example of the merchant

who sells wearing apparel and goes to New York City. attends a style show, shall we say, and from a jobber purchases at the jobber's price say $10 thousand worth of merchandise and has it shipped into Pennsylvania. Am I right in the conclusion that in the second month after he receives the merchandise he will file a use tax return and he will pay a three and one-half per cent excise tax?

Mr. READINGER. That is correct, I think.

Mr. JOHNSON. And the tax will be not on what he has paid the jobber but on the manufacturer's sale price to the jobber, is that right?

Mr. READINGER. If he can find out what that is. Otherwise under the amendment he pays it on the price he paid.

Mr. JOHNSON. That is correct and if he cannot ascertain what the manufacturer charged the jobber, which he of necessity will not be able to find out, because the jobber does not want him to know what he paid the manufacturer, he will then pay the three and one-half per cent tax on what he paid the jobber. Is that correct?

Mr. READINGER. That is correct and I bet he will find a new jobber the next day, too.

Mr. JOHNSON. But under the terms I am right so far in my analysis of this bill?

Mr. READINGER. May I interrupt the gentleman to state that he is up to the $50 thousand mark now?

Mr. JOHNSON. Well, we shall stay at $10 thousand. That is easier to figure and more in my bracket.

All right, the merchant has this merchandise in his inventory on which he will have paid the three and one-half per cent tax or the $350. Is that not right?

Mr. READINGER. That is correct.

Mr. JOHNSON. Now, when he sells these dresses or coats or whatever he has purchased, in order to get back what he has paid, he will then add to his price the three and one-half per cent that he has paid, is that right?

Mr. READINGER. I would not think he would, if he does not have to. If he can absorb it, he will probably be happy to do so and sell more dresses. He might pass it on, he might not.

Mr. JOHNSON. In other words, the merchant unless he can pass it on, will be stuck with the three and one-half per cent.

Mr. READINGER. Not stuck, he would just make a contribution to the state of Pennsylvania.

Mr. JOHNSON. That is what I thought. If by reason of obsolescence of his goods that he has not been able to sell, if they remain in his stock, he will then have merchandise on which he has paid a three and one-half per cent excise tax and he will then, of course, be thoroughly stuck with the tax, is that not right?

Mr. READINGER. I would say that he is stuck to the same extent he is stuck with any of the Federal excise taxes proposed by the Eisenhower administration. Yes.

Mr. JOHNSON. We shall debate that. Of course we are getting a little far afield. The so called luxury taxes in Washington were, I think, inspired and put on by President Roosevelt and continued by President Truman and lowered by President Eisenhower.

Well, then, Mr. Majority Leader, this same merchant in addition to paying the three and one-half per cent on goods he purchases out of the state on which he will file a monthly use tax return, he will then pay to a Pennsylvania manufacturer or jobber the three and one-half per cent tax on goods he purchases in Pennsylvania from a manufacturer. Is that correct?

Mr. READINGER. I would not say that is correct. I say that the manufacturer who sold it has paid that tax and if he passes it on to the jobber and the retailer in the price, then the jobber or retailer will be paying. But it does not necessarily get passed on.

Mr. JOHNSON. Well, then there are instances under this bill where the tax is placed on the manufacturer and then of course the tax is also placed on the retailer if he happened to buy the goods outside of the state.

Mr. READINGER. That is correct.

Mr. JOHNSON. Well then, I think the position of the merchant in Pennsylvania is clarified. I hope the merchant reads the newspaper resume of this.

Now let us take the individual who happens to go out of the state, shall I say, to buy an article. If an individual, not a retailer, not a manufacturer, but say myself, if I go to Buffalo, New York, and purchase a refrigerator for $250 and bring it into my home town, I have brought an article into the state for use. What is my obligation under the bill?

Mr. READINGER. Your obligation, if you bought it outside of the Commonwealth and brought it back, you bought it for use in this Commonwealth, is to pay a tax.

Mr. JOHNSON. The tax would be based on the $250 I paid unless I am able to ascertain what the manufacturer's selling price was. Am I correct?

Mr. READINGER. I think that is right.

Mr. JOHNSON. That is right. You are in the same position as any retailer who would buy something from out of state for use in this state or sale in this state. Then who would this purchaser, this individual, pay the tax to?

Mr. READINGER. Mr. Speaker, the Department of Revenue. They get everything.

Mr. JOHNSON. Mr. Speaker, where would that be located as far as my town of Smethport is concerned?

Mr. READINGER. Mr. Speaker, probably in Reading, Pa. No, I do not have any idea where the regional offices would be set up to administer this tax. I do not even know if there is a retail sales tax regional office in your area.

Mr. JOHNSON. Mr. Speaker, how often would this individual purchaser who is not a retailer, not a manufacturer, have to make a return and pay his tax?

Mr. READINGER. Mr. Speaker, that I will have to look up. I think within the same period as the other person, before the end of the calendar month following the month in which he makes his purchase and brings it into Pennsylvania.

Mr. JOHNSON. Mr. Speaker, I think the bill is a little nebulous on that point. Would he be subject to the same penalties under the bill that the manufacturer or the retailer would be if he fails to file a return, wilfully fails to report, wilfully fails to pay the tax, and so forth?

Mr. READINGER. Mr. Speaker, does the gentleman insist on an answer to that one immediately?

Mr. JOHNSON. No, Mr. Speaker. We will wait until midnight. Just some thoughts on the bill which I would like to have answered.

Let's take the individual now. Supposing under the, shall I say, storage phase of the bill, he has a boat in New Jersey in the summer or has it in the Chesapeake Bay, but brings it into Philadelphia and stores it in Philadelphia for the winter, would he, having brought that boat into Pennsylvania for purposes of storage, under the definition of storage be subject to the tax under this bill?

Mr. READINGER. Mr. Speaker, I would think he would because he is using it. He has it stored and he can go look at it and enjoy it. I call that a use. I would say that he would be liable.

Mr. JOHNSON. I think the gentleman is right, Mr. Speaker.

Mr. READINGER. Mr. Speaker, may I answer the gentleman's last question now?

I think on page 23 the penalty for any person who wilfully attempts to evade or defeat the tax, and so forth, shall pay a certain penalty. I think the same penalty would apply to an individual who buys something without the state for use within the state and wilfully and deliberately does not pay the tax. I think he is subject to the same penalty as a retailer or a wholesaler. The degree of his crime would be much less than a person who would do it on a wholesale scale.

Mr. JOHNSON. Mr. Speaker, let us take the individual who happens to move into Pennsylvania, let us first take an automobile he has purchased after the effective date of this act and then he decides to move into Pennsylvania with his car. Would he, having brought this car into Pennsylvania for use in this state, be subject to the use tax and have to file a return on his car within 30 days after the end of the calendar month?

Mr. READINGER. Mr. Speaker, I would say he would not be subject to the use tax unless he bought it in another state with the intention to move into Pennsylvania and use it in Pennsylvania, in my opinion he would not be subject to the use tax.

Mr. JOHNSON. Mr. Speaker, is that spelled out in the bill or is that the gentleman's . . .

Mr. READINGER. No, Mr. Speaker, it is clearly set forth on page 5 of the bill under the title, "IMPOSITION OF TAX AND CREDITS." I will check and see if there is an amendment to it. It is rather difficult to read this at the present time since we have adopted some amendments to that section, but I will do my best to read it for you.

One of the amendments we have adopted is to Section 201 on page 5, subsection (b), starting on line 9, and reads as follows:

> "Use of all tangible personal property manufactured, purchased or leased after the effective date of this act for use within the Commonwealth payable by the person who uses such property."

In other words, you are taxed on the use of tangible personal property which you purchased for use within this Commonwealth. Obviously, if the person is a resident of New Jersey, buys a car and just a week later decides he is going to move into Pennsylvania, he did not buy that for use in Pennsylvania and, therefore, he would not be taxable. But if a Pennsylvanian goes over to New Jersey and buys a car and brings it back after a week's vacation, he has obviously bought it for the purpose of using it in Pennsylvania and it would be taxable.

Mr. JOHNSON. Mr. Speaker, the gentleman's answer would be the same then when he moved his household goods into Pennsylvania, he not having purchased them with the intention of using them in the state, they would be tax free? Is that correct?

Mr. READINGER. Mr. Speaker, I think that is exactly right. It depends on where he lives at the time he buys it and whether he at that time intended to bring it into Pennsylvania and to use it. If he did not, it is not taxable. If he did, it is.

Mr. JOHNSON. Mr. Speaker, I want to further interrogate the gentleman.

We will go back to the merchant for a minute. Conceivably, there are exemptions in the bill for manufactured articles which are purchased for use in manufacturing a further article to make the end product. Won't that mean, Mr. Speaker, that every business establishment in Pennsylvania will have the same exemption certificate scheme that was used in the late sales tax we had in this state?

Mr. READINGER. Mr. Speaker, I am not too familiar with the late and unlamented retail sales tax, but this bill very clearly spells out the fact that the component manufactured parts of another manufactured article are not taxable until they have been put into the ultimate product, at which time it is sold and becomes taxable.

Mr. JOHNSON. Mr. Speaker, I believe that is correct. Then the gentleman would agree with me that in order to effect this exemption it will be necessary to file exemption certificates with the various merchants, dealers and manufacturers as was true under the sales tax? Is that true?

Mr. READINGER. That is right, Mr. Speaker. I think the same or a comparative system is being used in exempting people from the imposition of this tax where it is not intended to be taxed.

Mr. JOHNSON. Mr. Speaker, let us take the manufacturer himself in Pennsylvania, the manufacturer who manufactures component parts to be used in another article, the end product. He, too, would have to obtain exemption certificates from the person buying from him an article to be used for the purposes of further manufacture, isn't that correct?

Mr. READINGER. Mr. Speaker, I think that is right. In other words, a manufacturer of radio tubes, for example, might sell tubes to one customer who would use part of them as part of a radio set, and would also sell the other tubes for replacement in existing sets, and I think he would be taxable in one case and not taxable in the other.

Mr. JOHNSON. All right, Mr. Speaker. Let us look at the great automobile industry in this state. A dealer who buys an automobile in Buffalo, New York, for shipment to the northern tier counties, the distributor is in Buffalo, New York, and the cars come into the northern tier counties. When the dealer goes to Buffalo and buys a new car, he will not pay the three and one-half per cent excise tax, isn't that true?

Mr. READINGER. Not unless New York has one, Mr. Speaker. He certainly would not pay it under ours.

Mr. JOHNSON. Mr. Speaker, I mean he will not pay the Pennsylvania tax?

Mr. READINGER. That is right, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, then the automobile dealer within 30 days after the end of the month will file and pay a Pennsylvania excise tax of three and one-half per cent on the car?

Mr. READINGER. In my opinion he will, Mr. Speaker, on the manufcaturer's price.

Mr. JOHNSON. Mr. Speaker, then the Pennsylvania dealer when he sells the car must add the three and one-half per cent to the selling price of the car or absorb it himself, isn't that true?

Mr. READINGER. That is right, Mr. Speaker. He might sell that car after he brings it into Pennsylvania to a man in Ohio, in which case, as I understand this act, he would not be taxed at all.

Mr. JOHNSON. Mr. Speaker, would an automobile, being an instrument of transportation, be exempt under the transportation exemption of this bill?

Mr. READINGER. An automobile, Mr. Speaker?

Mr. JOHNSON. Yes, Mr. Speaker.

Mr. READINGER. It certainly will not, Mr. Speaker.

Mr. JOHNSON. It will not be exempt, Mr. Speaker? The dealer when he sells the car and has a trade-in allowance, will he be permitted to any refund on the excise tax by reason of a trade-in allowance, as was the case in the sales tax?

Mr. READINGER. I think not. I think this will be paid by the person buying it at the manufacturer's price. That is what the act says on page 2.

Mr. JOHNSON. I just have a few more questions, Mr. Speaker.

Mr. READINGER. Correction—page 5, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, there has been adopted today the mining amendment exempting products which have been obtained as the result of mining. Quarrying rock, is that mining and would that be exempt under this bill?

Mr. READINGER. Mr. Speaker, unless you can say that digging rock out of the earth is not mining, then I would say it is exempt. I am not aware of much difference between the meaning of the words "mining" and "quarrying." To me they both mean digging something out of the ground.

Mr. JOHNSON. Mr. Speaker, couldn't the answer also be that the taking out of rock or a valuable mineral other than coal, would not be manufacturing?

Mr. READINGER. Mr. Speaker, I would say it is not manufacturing. The removal of stone, which is usually called quarrying, would be considered the same as mining.

Mr. JOHNSON. Mr. Speaker, would not the mining of coal be non-manufacturing and therefore would not the amendment have been unnecessary that you just put in the bill?

Mr. READINGER. Mr. Speaker, I would not say it was unnecessary. I think as long as there is any question about it it should be made clear, and I think it was made clear. It should not be left to conjecture. There could be some argument, I believe, as to whethher a piece of coal that is dug out of the ground and then sized, sorted, cleaned, and so forth, became manufactured goods. If you just dug a piece of coal out of the ground and sold it to the consumer, there would not be much doubt about it, but since coal is not sold that way, since it is broken into sizes, sorted into sizes, washed and then sold on the market, there would be a question as to whether or not it would be a manufactured product.

Mr. JOHNSON. Mr. Speaker, would the gentleman say then that the mining exemption would make tax free coal that had been washed and sized and made ready for sale and maybe——

Mr. READINGER. Mr. Speaker, I would say that definitely excludes such coal from this tax.

Mr. JOHNSON. Mr. Speaker, I believe in some areas they sell what they call "blue coal." I believe that was Mr. Goldstein's question, they add a blue dye to it. That would still be non-taxable, would it not?

Mr. READINGER. Mr. Speaker, I would say it is non-taxable.

Mr. JOHNSON. Mr. Speaker, just one final question. I believe the gentleman said that under this bill, unless natural gas is subject to the gross receipts tax, it would be definitely taxable under this bill. I would just like to have the gentleman refer to the section of this bill which makes natural gas taxable as a manufactured article?

Mr. READINGER. Mr. Speaker, I cannot point to any specific section and I could be in error in saying that natural gas would be taxable hereunder. I believe that most natural gas is mixed with manufactured gas and, if that is true, it probably would be considered a manufactured product because certain operations take place to produce the mixture. But in answer to the gentleman's specific question about natural gas, I cannot point to any section and I could be wrong as to whether that will be or will not be taxable under this act.

Mr. JOHNSON. All right, Mr. Speaker. How about our growing industry, that is, the storage of natural gas that has been brought in from Texas, shall I say, and stored underground in Westmoreland County, would that be taxable under the storage phase of this act at three and one-half per cent?

Mr. READINGER. Mr. Speaker, there is another bill pending before the Legislature now which proposes to tax the storage of gas. That has not passed, and my answer to your question would be the same relative to the stored gas as it would be to gas that is flowing in and being used immediately. It is a question of ownership. If it is construed to be tangible personal property and purchased by a Pennsylvanian for use in the Commonwealth, it would be taxed. If it is not considered or construed to be a manufactured good, and natural gas may not be, then it would not be taxable.

Mr. JOHNSON. Mr. Speaker, an amendment has been added today to the use tax phase of the act which I believe specifically spells out the fact that an article brought into Pennsylvania, in order for it to be subject to the tax, would have to be a manufactured article. Was that the intention of that amendment?

Mr. READINGER. Mr. Speaker, will the gentleman point out which amendment he is talking about?

Mr. JOHNSON. Mr. Speaker, it is under the taxing phase of the act, section (b), before the word "purchase" you have added the word "manufactured."

Mr. READINGER. Mr. Speaker, the intent of this whole act is to tax manufactured articles.

Mr. JOHNSON. Mr. Speaker, then gas in its natural state brought in from Texas would not be a manufactured article unless it was mixed with manufactured gas, is that right?

Mr. READINGER. Mr. Speaker, that is a reasonable supposition. I am not an expert in the field of gas and I am afraid I cannot give the gentleman any better answer

than I have. I have admitted that I could be wrong in saying that natural gas might be taxable.

Mr. JOHNSON. Mr. Speaker, I believe that will be all. I have some other questions I want to ask Dr. Sarraf, but I believe the hour is getting late, so I will dispense and yield to the next speaker.

Mr. TOMPKINS. Mr. Speaker . . .

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I yield to the gentleman from Delaware, Mr. Isaacs.

POINT OF ORDER

Mr. ISAACS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. ISAACS. Mr. Speaker, we have been in this House now for eight hours. I have been here for nine hours without so much as a recess for luncheon or a recess for dinner. When I am at work, I carry a union card in a union shop. If something like this went on, you would have a walk-out on your hands. I would like to know when we are going to eat, Mr. Speaker.

The SPEAKER. The Chair would inform the gentleman that we are going to eat as soon as the interrogation on the part of the minority ceases. We assure the gentleman from Delaware that the minority is privileged to walk out any time it wishes.

Mr. ISAACS. Mr. Speaker, this interrogation can go on forever. I know several gentlemen around me have a lot of questions they want to ask.

The SPEAKER. The Chair suffers in common with the gentleman from Delaware and other fellow sufferers, but there is nothing he can do about it.

Mr. ISAACS. Mr. Speaker, I would move that this House recess for dinner for one hour.

The SPEAKER. The gentleman is out of order.

Mr. READINGER. I wish to remind the gentleman that we are going to meet after dinner, if we ever get to eat, Mr. Speaker.

Mr. JUMP. I would like to interrogate the Majority Leader for just about two minutes.

The SPEAKER. The gentleman from Cameron has the floor.

Mr. JUMP. I am sorry, Mr. Speaker.

The SPEAKER. The gentleman from Cameron yields to the gentleman from Luzerne.

Mr. JUMP. First, Mr. Speaker, I want to thank the Majority Leader for including anthracite coal in his amendments. I, too, come from Luzerne County.

I just received a telegram and I would like the Majority Leader to listen very closely because I would like to have an answer. You see we have another industry in Luzerne County besides anthracite coal.

"Representative James Jump,
House of Representatives,
Harrisburg, Pennsylvania.

If food definition H. B. 1879 is to be passed please propose that grocery definition include peanut butter peanut oil salted peanuts salted nuts and peanut candies. These items as you know are purchased in grocery stores for home consumption just like other grocery foods. These are all wholesome food products in competition with cookies pretzels potato chips cake raisins fresh fruits and the like. We appeal to your fairness and that of your colleagues for favorable consideration of this request. Thank you.

Planters Nut & Chocolate Co
F A English Vice President"

I would like to have an answer as to whether that includes food?

The SPEAKER. The gentleman from Berks will answer, but the Chair suggests that the gentleman from Luzerne is trying to knock us out with a Planter's Punch.

Mr. READINGER. Mr. Speaker, may I say in answer to the gentleman's question that in my present state of hunger, if I were inclined to say that those things were taxable, I would immediately say they are not. But I wish he would stop torturing us by mentioning all those wonderful foods which all of us would all like to have to eat right now.

Seriously, those are items of food which would be exempt. They are not confections and they are not beverages, so, therefore, they are exempt under the tax.

Mr. TOMPKINS. Mr. Speaker, I would yield to the gentleman from Bedford.

The SPEAKER. The gentleman from Cameron yields to the gentleman from Bedford, Mr. Stroup.

Mr. STROUP. Mr. Speaker, I rise to interrogate the Majority Leader very briefly, please.

The SPEAKER. Will the Majority Leader consent to be interrogated?

Mr. READINGER. I shall, Mr. Speaker. I don't know why they keep the top brass until I am real weak. They should have started out with these men.

Mr. STROUP. Mr. Speaker, could the Majority Leader tell us whether or not the three and one-half per cent excise tax is deductible from the Federal income tax return?

Mr. READINGER. By the person paying it Mr. Speaker?

Mr. STROUP. Yes, Mr. Speaker.

Mr. READINGER. Yes, Mr. Speaker.

Mr. STROUP. Mr. Speaker, then from that standpoint if the manufacturers pay the three and one-half per cent excise tax and take a deduction on their Federal income tax returns, may they then pass that three and one-half per cent tax on to the wholesaler, retailer and consumer?

Mr. READINGER. They may, Mr. Speaker.

Mr. STROUP. Does that not, therefore, Mr. Speaker, provide a considerable leverage to the manufacturer who can take a deduction from the tax which he pays and still pass that three and one-half per cent on to the consumer eventually, who cannot get deductions?

Mr. READINGER. Mr. Speaker, I would say that it does. We have for years been fighting for better breaks for manufacturers to get them to come into Pennsylvania and stay here, and that is exactly what this will help to do.

Mr. STROUP. Mr. Speaker, are you not, therefore, in this excise bill providing a benefit indirectly to the manufacturer and a complete burden and an onerous tax upon the consumer, the everyday citizen of Pennsylvania?

Mr. READINGER. Mr. Speaker, I would say that it is about even Steven. I think we are imposing a burden on industry and we are granting them indirectly some benefits.

Mr. STROUP. Mr. Speaker, if I may make just a comment upon that. It seems from the answer to the interrogation which the Majority Leader has given us that we are in the excise tax providing the manufacturer, if he pays the tax, a deduction on his Federal income tax, be he a corporation, individual, or company, partnership, or association, and at the same time he is able to add that three and one-half per cent tax on his manufactured item, pass it on to the wholesaler, retailer and consumer and the entire burden of the tax is placed upon the little fellow that you gentlemen as the Democratic Party so vehemently protest you are protecting.

After having made that comment, Mr. Speaker, may I interrogate the Majority Leader further?

The SPEAKER. Will the Majority Leader consent to be interrogated further?

Mr. READINGER. Mr. Speaker, I should insist on answering the gentleman before answering his next question, but I will let them accumulate and answer them all at one time.

Mr. STROUP. Mr. Speaker, I appreciate the indulgence of the Majority Leader.

Just one brief question. A contractor who builds a building for the Commonwealth or a political subdivision, would he be exempt from the three and one-half per cent tax on that contract?

Mr. READINGER. Mr. Speaker, the question is when a contractor builds—

Mr. STROUP. Mr. Speaker, if a contractor builds a building for the Commonwealth of Pennsylvania, or one of its political subdivisions, is the contractor exempt from that three and one-half per cent tax because he is doing business with the Commonwealth?

Mr. READINGER. Mr. Speaker, I would say not. Because he is selling to the Commonwealth or to the municipality, that would exempt him. But I say he is not selling tangible personal property, he is creating what is known as real estate and then selling a piece of real estate.

Mr. STROUP. Mr. Speaker, the contractor purchases manufactured materials to use in the building, is that not true?

Mr. READINGER. Mr. Speaker, I could not understand the question.

Mr. STROUP. Mr. Speaker, I say the contractor purchases manufactured materials to be erected or placed in that building, is that not true?

Mr. READINGER. That is right, Mr. Speaker.

Mr. STROUP. Mr. Speaker, would he not, therefore, be required to pay three and one-half per cent tax upon that manufactured article which he has purchased?

Mr. READINGER. Mr. Speaker, if he purchases outside the state of Pennsylvania, I would say yes. If he purchases it in Pennsylvania from a Pennsylvania manufacterer the manufacturer would have paid it.

Mr. STROUP. Mr. Speaker, would there be an exemption certificate provided to the contractor by the Commonwealth in the event he has to pay the tax?

Mr. READINGER. At the moment I cannot answer that question, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, if I had a couple more to yield to, I could perhaps get all my questions answered that I have on my sheet.

Nevertheless, I think this bill is so important, and is being rushed through with such great haste that it is imperative that these questions be asked so that we get some little understanding as to what is in this bill. I do not believe by the time we finish we will cover half the interrogations that perhaps should be asked in connection with it.

I would like to interrogate the Majority Leader on a couple of points that I have left here on my sheet.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. READINGER. Mr. Speaker, since the gentleman has stated flatly that he only has a couple of questions left, I shall be glad to.

Mr. TOMPKINS. Mr. Speaker, I believe one of the amendments specifically kept alcholic beverages in the provisions of this bill, is that right?

Mr. READINGER. That is correct, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, are cigarettes and tobacco products covered by the provisions of this bill?

Mr. READINGER. They are, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, are not both of those products today separately taxed by separate legislation?

Mr. READINGER. Very emphatically, Mr. Speaker.

Mr. TOMPKINS. Would not the tax collected under the provisions of this bill constitute a double taxation on these products and therefore be unconstitutional, Mr. Speaker?

Mr. READINGER. No, simply additional taxation. Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I should like to inquire additionally in connection with these two products whether or not if the tax imposed upon, we will say, beer, for instance, should amount to a cent a bottle the beer drinker can go in and buy a bottle of beer for 26 cents instead of having it cost him 30 cents?

Mr. READINGER. Centainly he can, Mr. Speaker. It is a matter of pricing on the part of the person who sells it. He can sell it for fifteen cents, if he likes.

Mr. TOMPKINS. I don't drink beer, Mr. Speaker, but I wish the gentleman would give some of my friends a certificate to that effect.

Will newspapers, magazines, periodicals, publications, books and printing be included in the tax under this bill?

Mr. READINGER. Mr. Speaker, they will, but don't tell the press.

Mr. TOMPKINS. Mr. Speaker, let us take a newspaper; will purchase of a newspaper, that is to say, the paper upon which the news is printed, be taxed? He pays a tax on that roll of paper when he gets it and would there be a tax on that roll of paper when he sells it?

Mr. FILO. Mr. Speaker, are sideline coaches allowed on the floor of the House?

The SPEAKER. They are not if the Speaker sees them operating. I believe the gentleman to whom the gentleman from Allegheny refers is a Member of the House. Members of the House have certain privileges that are denied other lobbyists.

Mr. TOMPKINS. Mr. Speaker, getting back to our newspaper, let us take the Harrisburg Evening News, for instance. When they purchase their rolls of paper for their

news print, do they pay the three and one-half per cent excise tax upon that paper when they buy it?

Mr. READINGER. I would say no, Mr. Speaker. I would say that is a component part of the manufactured product that they are manufacturing.

Mr. TOMPKINS. Mr. Speaker, when, however, the news print gets on that paper it becomes taxable when they sell it and distribute it?

Mr. READINGER. I would say so, Mr. Speaker.

Mr. TOMPKINS. Are building and construction materials taxable under the provisions of this bill, Mr. Speaker.

Mr. READINGER. Mr. Speaker, if it is a finished manufactured product, I would say it was—or they were. If it is a building material that is just in the process of being manufactured, half finished, or to be finished by somebody, I would say the ultimate seller or manufacturer must pay the tax.

Mr. TOMPKINS. Mr. Speaker, if they go into the construction of a house, is the house also taxable?

Mr. READINGER. Not under this bill, Mr. Speaker. It is taxable under the real estate transfer tax that you gentlemen imposed.

Mr. TOMPKINS. Mr. Speaker, what will be done with prefabricated houses? You have building materials that go into the construction of your sections of a prefabricated house and you sell a prefabricated house, are both of those taxable?

Mr. READINGER. Mr. Speaker, I would say the finished manufactured product, if manufactured in Pennsylvania and sold to a man who is going to assemble it on a piece of ground, would be taxable under this act, the manufactured articles.

Mr. TOMPKINS. Mr. Speaker, churches and hospitals would be subject to the provisions of this tax for any materials they might purchase?

Mr. READINGER. Mr. Speaker, if they purchase from a Pennsylvania manufacturer, no. If they purchase out of the state and bring it in, yes.

Mr. TOMPKINS. Mr. Speaker, how about the equipment for a hospital, would that be taxable?

Mr. READINGER. Mr. Speaker, if it is a finished manufactured product, yes. If it is a piece of pipe that goes into plumbing, and so forth, that would not be—well, it depends on the type of pipe.

Mr. TOMPKINS. Mr. Speaker, articles of equipment used in churches, and so forth, would also be taxable?

Mr. READINGER. And synagogue, Mr. Speaker.

Mr. TOMPKINS. Religious books and publications would be taxable, Mr. Speaker?

Mr. READINGER. That's right, any manufactured product, Mr. Speaker.

Mr. TOMPKINS. Will restaurant meals be taxable under the provisions of this bill, Mr. Speaker?

Mr. READINGER. No, food is exempt.

Mr. TOMPKINS. Mr. Speaker, under Section 1-C of Article I of the act, does "drinks" as used in that act include milk, fruit and vegetable juices? You define drinks as malt beverages and soft drinks, and then you refer to drinks which are taken by human beings and animals. Does that also include milk, fruit and vegetable juices under that section?

Mr. READINGER. Mr. Speaker, no, I would say food as defined herein would include the things you mentioned. Yes. They are not confections nor are they malt geverages.

Mr. TOMPKINS. They would not be taxable, Mr. Speaker?

Mr. READINGER. They would not be, no, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, what is the definition of an animal as contained in that section?

Mr. READINGER. Mr. Speaker, I suppose an animal is anything that is not a human being, or a bird, or a fish.

Mr. TOMPKINS. Mr. Speaker, the gentleman would interpret animal there as being also a fowl and fish, is that right?

Mr. READINGER. No, Mr. Speaker. I say an animal would be any creature which was not a human being, or a fish, or a fowl.

Mr. TOMPKINS. Mr. Speaker, do I understand then that food, and feed, and so forth, which is purchased in the raising of chickens would be taxable under the provisions of this bill?

Mr. READINGER. Mr. Speaker, my side line coaches are interrupting me, Mr. Speaker. Will you repeat that question.

Mr. TOMPKINS. Mr. Speaker, do I understand as a result of your answer that feed which is purchased for the raising of chickens would be taxable under the provisions of this bill?

Mr. READINGER. No. Mr. Speaker, the definition of food says tangible personal property commonly taken by man or other animals—or are you referring to feed for fowl?

Mr. TOMPKINS. Mr. Speaker, the gentleman just said that animal did not include fowl or fish.

Mr. READINGER. Mr. Speaker, the gentleman got me down on this question of semantics. I gave him what my definition of an animal was, but I could be wrong. I will say in my opinion that feed given to a chicken would be taxable unless a chicken is an animal. I don't know.

My side line coaches inform me that a chicken is an animal.

Mr. TOMPKINS. Is a fish an animal, Mr. Speaker.

Mr. READINGER. I am informed that it is, Mr. Speaker. I am learning something all the time.

Mr. TOMPKINS. Mr. Speaker, that is why we are asking these questions, we want enlightment ourselves.

Mr. READINGER. Mr. Speaker, the gentleman is entitled to ask all the questions he has in mind. I cannot guarantee to give him the right answer, or all the answers, but I will do my best.

Mr. TOMPKINS. Mr. Speaker, can the gentleman tell me whether or not fuel oil which is used for home heating is taxable.

Mr. READINGER. I would say it is, Mr. Speaker. I see nothing in the act that would exempt it.

Mr. TOMPKINS. Mr. Speaker, would this tax be applied to machinery and tools of production?

Mr. READINGER. Mr. Speaker, if the machinery bought by somebody is a finished product to be used in further production, I would say it is taxable.

Mr. TOMPKINS. Mr. Speaker, then the machines which coal companies buy for the mining of coal, machines which an electronic plant would buy for the manufacture of electronic equipment, do I understand that if they are bought as a completed product they would be taxable?

Mr. READINGER. Mr. Speaker, they are taxable to the manufacturer that sells them, yes.

Mr. TOMPKINS. Mr. Speaker, would farm machinery be taxable under the provisions of this bill?

Mr. READINGER. It would, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, what will we do with the numerous Chambers of Commerce in the state of Pennsylvania who are trying to induce industry to come into this state, who are going to find themselves burdened with a three and one-half per cent tax on all of the machinery which they bring into the state for their production?

Mr. READINGER. Mr. Speaker, I would say that the Chambers of Commerce of Pennsylvania overcome all obstacles in their zeal to bring industry into Pennsylvania. This won't stop them.

Mr. TOMPKINS. Mr. Speaker, I would like to fathom the gentleman's reasoning in that respect. A million dollar manufacturing concern which comes into this state is going to have to pay a tremendous tax in order to be able to set up in business. I just wonder if they will favor Pennsylvania or some Southern state.

Mr. READINGER. Mr. Speaker, I would consider that in the realm of conjecture and argument rather than questioning.

Mr. TOMPKINS. Mr. Speaker, I am talking about the inducements to industry to come into the state of Pennsylvania. We are asking for $30 million to try to bring them in. Now we are going to club them over the head with a three and one-half per cent tax for the privilege of setting up in business in Pennsylvania.

Mr. READINGER. I do not accept the gentleman's ideas. Mr. Speaker, if he wishes to make a speech and argue, I will be glad to answer him later on, but I can't answer that question—

Mr. TOMPKINS. Mr. Speaker, that was in answer to the gentleman's statement that the finished product machine would be taxable under the provisions of this bill.

How about a freight car in connection with the transportation provisions of this bill? A freight car is manufactured in another state and brought into this state for use, would that freight car be subject to tax?

Mr. READINGER. I think it would, Mr. Speaker. It is the transportation of things which is defined under the definition of "Manufacture" on page 2. Not being part of a manufacturing process, the transporting of them from one place to another, it is not part of the manufacturing process. A freight car is very definitely a manufactured product, it would be taxable.

Mr. TOMPKINS. Mr. Speaker, this tax would apply to all freight cars which are manufactured for the use in transportation, is that right?

Mr. READINGER. Mr. Speaker, even if they were not used for transportation, they would be taxable, as long as they were manufactured in Pennsylvania and sold for use here. If they use it for a dining car and did not even move it, it would still be taxable.

Mr. TOMPKINS. Mr. Speaker, trucks, I suppose, purchased under the same circumstances are also taxable under the provisions of this bill?

Mr. READINGER. That is correct, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, what would be done about a shoe repair shop? Would a shoe repair shop be compelled to charge a tax upon its finished manufactured product if he repairs a shoe?

Mr. READINGER. Mr. Speaker, I would say if any shoe repairman bought rubber heels from out of the state for the purpose of repairing shoes, putting them on, he would be taxable. He would not be taxable on his services for doing so, but he certainly would be made to pay the same tax on the price he pays the manufacturer. It is a manufactured product.

The SPEAKER. Does the gentleman from Philadelphia, the Minority Leader, desire to be recognized at this time?

Mr. CHARLES C. SMITH. Mr. Speaker, I yield to the gentleman from Montgomery, Mr. Kratz.

The SPEAKER. The gentleman from Philadelphia, the Minority Leader, yields to the gentleman from Montgomery, Mr. Kratz.

Mr. KRATZ. Mr. Speaker, I would like to ask the Majority Leader just two questions.

The SPEAKER. Will the Majority Leader consent to reply to two interrogations?

Mr. READINGER. I shall, Mr. Speaker.

Mr. KRATZ. Mr. Speaker, as a manufacturer's representative I occupy a rather unique position in the field of distribution. I negotiate sales principally between out-of-state manufacturers, the negotiated sale is made to the party in Pennsylvania. Now who is responsible for collecting the tax on that sale?

Mr. READINGER. Mr. Speaker, who takes title to the tangible personal property concerning which you negotiate? Do you take title to it from out-of-state people?

Mr. KRATZ. No, Mr. Speaker, I take no title at all, I am simply in there as an intermediary or a negotiator between the manufacturer and the person who is buying the manufactured material. In my case it would primarily go into buildings.

Mr. READINGER. Then I would say, Mr. Speaker, to answer the gentleman's question, the person with whom the gentleman negotiates, who is the purchaser, is responsible for the payment of the tax on the article after he has purchased it.

Mr. KRATZ. And he would also be responsible for reporting it, is that correct, Mr. Speaker.

Mr. READINGER. That is correct, Mr. Speaker. The person who is the purchaser is defined as the taxpayer in this act and not the person who is the broker who negotiates for the sale.

Mr. KRATZ. Mr. Speaker, my reason for asking that question is this, I am forced by the United States Government on their various form sheets to actually swear to lies every time I have to put in a report on sales. That is because the Department of Commerce and several others cannot distinguish between a manufacturer's representative, who negotiates the sale and yet does not make a sale, and a man who buys and resells merchandise. That is the reason for my question.

Now my other question is simply this, for some of the manufacturers whom we represent we carry a warehouse stock that does not belong to us, it is simply put in Philadelphia for the convenience of the customers. Is there a tax on that stock that belongs to an out-of-state manufacturer and, if there is, what is the method of collecting it?

Mr. READINGER. Mr. Speaker, there would be no tax on that until it were sold to someone in Pennsylvania or for use in Pennsylvania. If it were kept in the wharehouse and then sold to somebody in New Jersey, or somebody outside of Pennsylvania, it would not be taxable at all.

Mr. KRATZ. Thank you, Mr. Speaker. The gentleman anticipated my question on that second part. I thank the gentleman.

Mr. READINGER. In this business you have to anticipate everything .

Mr. BELL. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be further interrogated?

Mr. READINGER. I shall Mr. Speaker.

Mr. BELL. Mr. Speaker, I have a very simple question, but I think it is rather weighty.

I have in front of me the Constitution of the United States and I Call your attention to Article I, Section 9, Paragraph 5, which reads:

"No Tax or Duty shall be laid on Articles exported from any State."

To my way of reasoning, where you have an export from the State of Delaware into the state of Pennsylvania that is the same as an import into Pennsylvania. We have been talking all afternoon of taxing imports into this state under the use theory. To your knowledge, has there ever been a case in the United States Supreme Court involving a tax on imports under a manufacturers' excise tax?

Mr. READINGER. Mr. Speaker, there may be no cases, I do not have any idea whether there are, but I think the cases which the Supreme Court of the United States has already decided under the Constitution, relative to taxation on interstate commerce, has verly clearly laid down the established law to be that no matter where goods come from, once they have come to rest within a state they become taxable at the discretion of that state.

For example, if something comes in from Delaware and it is at the railroad yard waiting to go to another state, even though it is there three months, it still would not be taxable under the interstate commerce laws, and so forth, but once it comes to rest here as the property of a Pennsylvanian to be used here, it is clearly taxable, and that is what we are doing in this case.

Mr. BELL. Mr. Speaker, my point I am bringing up here is to put the majority party on notice that in my humble opinion you are skating on very thin ice, and the entire fiscal program of this Commonwealth might be tied into something which has not been decided by the Supreme Court of the United States.

Mr. READINGER. Mr. Speaker, may I in answer to the gentleman's last remarks state that in the retail sales tax bill, which recently expired, there was a section on use and the tax imposed thereon, and to the best of my knowledge nobody raised a question of whether it was constitutional or not. I am sure the gentleman, if he was a Member in 1953, voted for it believing that it was constitutional to do so. We are doing nothing more in this bill.

Mr. BELL. Mr. Speaker, I was not present in 1953 and I am not accountable for certain laws passed in 1953. The fact that there was a tax imposed by an act in 1953 which was not challenged does not make that tax constitutional. Of course, I didn't want to spoil the gentleman's dinner with this hot potato, Mr. Speaker, but I think this House should look into the constitutionality as well as the other factors.

Mr. READINGER. Mr. Speaker, may I say in answer to the gentleman's last remark that I think his hot potato is a dead duck? I think the courts have already decided this question.

Mr. CHARLES C. SMITH. I want to find out what dinner, Mr. Speaker, is going to be spoiled.

Mr. Speaker, I had a nice speech here, but I don't think the Members would appreciate it right now. I would like to interrogate the Majority Leader just on a few questions as a matter of clearing up the record.

The SPEAKER. Will the Majority Leader consent to be interrogated?

Mr. READINGER. Will somebody get me a chair? I shall, Mr. Speaker.

Mr. CHARLES C. SMITH. First of all, Mr. Speaker, I think the Majority Leader should be congratulated on standing here and answering a tremendous number of questions which, in all fairness, he did not have to do. If the front office had been fair about this thing and had not tried to bulldoze a bill through, the Majority Leader would not have been confined all afternoon, probably for five or six hours answering questions, but it just seems nobody knows too much about this bill.

Mr. READINGER. Mr. Minority Leader, is that a question?

Mr. CHARLES C. SMITH. No, that was just a word of thanks, Mr. Readinger.

Mr. Speaker, under this present excise tax bill, 1879, we are led to believe that automobiles are to be taxed?

Mr. READINGER. In my opinion that is correct, Mr. Speaker.

Mr. CHARLES C. SMITH. Mr. Speaker, what I would like to do as just a matter of legislative intent. The constitution says: "All proceeds from gasoline and other motor fuel excise taxes, motor vehicle registration fees and license taxes, operators' license fees and other excise taxes imposed on products used in motor transportation."

If automobiles are to be taxed as a matter of legislative intent, I think this is terribly important, will that tax go to the general fund or will it go to the highway fund under the constitutional provision of Article 9?

Mr. READINGER. Mr. Speaker, in my opinion it will go into the general fund, it will not go into the highway fund.

Mr. CHARLES C. SMITH. Mr. Speaker, can we definitely state here that it is the legislative intent of both parties that this amount of money go into the general fund?

Mr. READINGER. Mr. Speaker, I will be willing to so state.

Mr. CHARLES C. SMITH. Mr. Speaker, the gentleman states that it is the legislative intent. I wanted to clear that up because there seems to be some difference of opinion in the thinking among the legal talent we have on this side of the House.

Mr. Speaker, I would like to interrogate the gentleman just a little bit more. Under the original bill coal, I understand, was in the bill, fertilizer was in it, and gas and oil products. Am I right on that, Mr. Speaker?

Mr. READINGER. Mr. Speaker, partly and partly not. I think that the definition of "Manufacture" on page 2 of the bill did not include coal, but in order to make it very clear that coal was not to be included the word

"mining" has been inserted. I think if you read it without the word "mining," it still would exclude coal as not being a manufactured product.

Mr. CHARLES C. SMITH. Mr. Speaker, was it the intent that coal be in the bill?

Mr. READINGER. Mr. Speaker, it was the intent that coal not be in the bill.

Mr. CHARLES C. SMITH. Not be in the bill, all right. Mr. Speaker I ask the gentleman if I remember correctly, the Governor in his message insisted that any exemption would reduce the revenue, and I am quoting, from $420 million. Could the gentleman give me an estimate knowing, and I am giving him these figures, that there is 2.6 billion gallons of gas in this state and there is approximately $200 million of fertilizer used in this state, how much money that is going to reduce the Governor's original estimate of $420 million?

Mr. READINGER. Mr. Speaker, I think the estimated loss of revenue on fertilizer is between $2.5 and $3 million for the rest of this biennium. I have no figures on the gas. It is our hope that the gross recipts tax on gas, which I think we have already passed in the House and is now in the Senate Committee, will be enacted. Therefore, it would not be taxable under this bill.

Mr. CHARLES C. SMITH. Mr. Speaker, I might not have made myself clear, but I am talking about gasoline. There are 2.6 billion gallons of gasoline used in this state. Do you have any estimate of what that would take off of the Governor's estimate of that $420 million?

Mr. READINGER. Mr. Speaker, it is my understanding from the best estimate I have been able to obtain that it will reduce it from $420 million to $410 million, a loss of $10 million dollars:

Mr. CHARLES C. SMITH. That is another reason Mr. Speaker, that we have asked another day to hold this bill up. We get authentic figures that it probably will reduce it by approximately $30 millions. We could be wrong, we could be right, Mr. Readinger could be wrong and he could be right. We are just trying to prove when we say that, that there certainly is need for further study of this bill. The Governor when he made his speech was very insistent that there be no exemption. All the exemptions that are there in the bill were put there by the Governor's office.

I would also like to add, Mr. Speaker, could the gentleman tell me how you arrived, or how the Governor arrived, if that is possible, on $194 million on each one percent.

Mr. READINGER. Of this excise tax, Mr. Speaker?

Mr. CHARLES C. SMITH. Mr. Speaker, I believe the Governor quoted that one percent would bring in $194 million dollars, is that right?

Mr. READINGER. Mr. Speaker, if he was speaking about that balance of the biennium, I think—

Mr. CHARLES C. SMITH. No, I say Mr. Speaker, one per cent for the biennium. He stated that it would bring in, three and one-half per cent for the balance of the biennium, $420 million. Let us put it that way. Would you tell me how he arrived at the $420 million figure?

Mr. READINGER. Mr. Speaker, I think when the decision was made to exempt all food, our economists, our assistants, and so forth, made the best estimate they could and arrived at the figure of $90 million a year for one per cent and, of course for the balance of the biennium, being more than a year, it would raise more than three and one-half times 90. I cannot give the gentleman the breakdown on the analysis, I know that Federal reports were taken on the sales of products, and so forth, in the state of Pennsylvania, including all types of commodiites, and based on the total reported sales for, I suppose the last year of 1954, the computations were made and the estimated yield was figured out.

Mr. CHARLES C. SMITH. Mr. Speaker, again not trying to pinpoint the gentleman too much, but are any of those figures available for anybody on the minority side or anybody on the Press so that we could have them and study those figures before this evening?

Mr. READINGER. Mr. Speaker, I would not know where to obtain them at the moment. Those figures have been available for everybody in the Commonwealth for a long time, they are published reports. I imagine the United States Department of Commerce has published many of these reports. I do not have the tax study reports before me but various estimates were set forth in them. That document has been in our hands for months. It is simply the best estimate of what this tax would yield based on the facts which are available to the public. We could be very low, we could be over or under—estimating this by some millions of dollars, but, after all, we must compute these things in some way. I think when the gentleman had the problem of computing the yield of the retail sales tax he had the same problem and no doubt used the same basic figures that we are using in this estimate, the amount of sales in Pennsylvania on which the tax would fall.

Mr. CHARLES C. SMITH. Mr. Speaker, I think the point I was trying to prove was that the Governor's estimate of $420 million—and I never like to use the Governor's words because when I do I always have to be very careful. I would say this is just what he uses, his own terminology, it is not an estimate, it is just a doggone good guesstimate. The Governor was accusing us continually of guessing. If anybody is guessing, if those are the kind of answers we get, and I do not condemn the Majority Leader for that because he is in the dark as much as anybody else is, these are not accurate figures and I would like somebody to prove them. Our figures would be considerably more. If the Governor would like to give us some figures before tonight, before we vote on this bill, we would like to have them, but I personally do not think the Governor has any figures. He is guessing. He could be within 50, he could be within 100, he could be within 200 million, because, Mr. Speaker, those figures are just not available for anybody to use, they are guesstimates.

The Majority Leader is unfortunately placed in a spot where he even has to admit to that. I blame the Governor in the front office again for pushing this bill, giving it to the people of Pennsylvania, and you and I do not know when this Bill is voted on tonight whether it will bring $700 million of taxpayers' money, or $800 million, or $400 million. Nobody knows.

Again I am pleading with you to give us a break and give the people a break at knowing what money it is going to bring in, so that we can talk to them and so

you can go home without hanging your head.

I will save the speech for tonight, Mr. Speaker.

Mr. READINGER. Mr. Speaker, in reply to the last question and the comments of the Minority Leader, may I say that the Pennsylvania Economy League personnel has been used extensively by this administration in its research work. I think all of us know enough about the Pennsylvania Economy League to have a great deal of faith in the thoroughness and the honesty with which they approach a problem and do this research work.

I had a conference with a gentleman connected with the Economy League this afternoon and I know he has spent a great deal of time going over the basic data upon which an estimate of this kind must be based. I know that I value his opinion highly and I know that the administraion does.

While the gentleman on the other side chooses to call it a guesstimate—it is a nice work—it is still an estimate. I must say that in my years as a Member of this Legislature I have seen lots of estimates go sour, including the one that the gentleman's own party made concerning the yield of the retail sales tax. So I am telling you that in our best judgment based on the best advice we have been able to obtain, we think this bill will raise $410 million between now and May 31, 1957. If we are off by $40 million one way, we could be off by $40 million the other way. We still must base our estimated revenues on something, and we have done the best that it is possible to do.

Mr. CHARLES C. SMITH. Mr. Speaker, may I interrogate the gentleman?

The SPEAKER. Will the gentleman from Berks, Mr. Readinger permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. CHARLES C. SMITH. Mr. Speaker, are these figures the figures given to the gentleman by the Pennsylania Economy League? Is this their report?

Mr. READINGER. Mr. Speaker, this $410 million figure was given to me by a Professor who is connected with the Pennsylvania Economy League.

Mr. CHARLES C. SMITH. Mr. Speaker, is the entire tax given to you by the Pennsylvania Economy League?

Mr. READINGER. The entire tax on what, Mr. Speaker?

Mr. CHARLES C. SMITH. The basic tax, Mr. Speaker.

Mr. READINGER. The basis of it, Mr. Speaker?

Mr. CHARLES C. SMITH. That is right, Mr. Speaker.

Mr. READINGER. No, Mr. Speaker. I have not seen the actual totals of sales of manufactured goods purchased in the state of Pennsylvania, I have not seen those figures. I know he has them available.

Mr. CHARLES C. SMITH. What I would like to say is this, Mr. Speaker, and I am not at this point privileged to divulge any names, I am not trying to hide behind that statement, but when something is given to me in confidence I keep it insofar as the gentleman who gives it to me is concerned. I have had a member of the Pennsylvania Economy League tell me they can be wrong or right by $200 million.

Mr. LOVETT. Mr. Speaker, I would like to know if I am in order in discussing the bill on second reading and if we are not going to discuss it on third reading?

The SPEAKER. The bill probably will be discussed at length on third reading. The gentleman is in order, if he desires to discuss the merits of the bill on second reading. The bill can either be passed or defeated by this House on second reading, but it will be discussed on third reading.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the Minority Leader. He seems to have had it very easy all during the debate.

The SPEAKER. Will the Minority Leader consent to be interrogated?

Mr. CHARLES C. SMITH. The victuals are still getting cold. I shall, Mr. Speaker. I just want the gentleman to remember to be fair, because I have a big speech I shall read back at him if he asks them too tough.

Mr. LOVETT. Mr. Speaker, I do not intend to be tough at all. The Minority Leader yesterday was quite worried about the fairness of the Minority party, back a few years ago on having public hearings on bills. I have always felt that we should have public hearings. I would like to ask the Minority Leader at this time if he has any requests for a public hearing on this particular tax bill?

Mr. CHARLES C. SMITH. Mr. Speaker, the public unfortunately have been placed in a position where even if they sent this thing by carrier pigeon, they do not even know about the tax yet. Today is the first day that most people knew about it. The average John Doe citizen does not know yet what is going to hit him and, therefore, I would say the time element alone has eliminated any public requests up to this time. I have not checked my mail since around 12:00 noon when I left the office today.

Mr. LOVETT. Mr. Speaker, would the gentleman say if we had a period of time he feels he would have requests for public hearings on this legislation?

Mr. CHARLES C. SMITH. Mr. Speaker, I shall guarantee it.

Mr. LOVETT. Mr. Speaker, I might say to the gentleman that I may be wrong in my statement here. I think back in 1935 or 1937 when we had tax bills there were public hearings granted, but I think they were granted in the Senate. I am not sure of my statement, but to my knowledge I think at that time there were public hearings.

I would like to further ask the gentleman if during the debate that we have had on the bill he has been enlightened and knows pretty well what the bill does?

Mr. CHARLES C. SMITH. Mr. Speaker, I certainly believe that anyone sitting through a debate of eight hours would have a pretty low intelligence if he did not know a little bit more than when we started. I presume that both of us know more, is that right, Mr. Lovett?

Mr. LOVETT. I would say that is right, we both know quite a bit more.

Mr. Speaker, I would like to further ask the gentleman if he really considers this a sales tax, hidden sales tax or a sales tax, if he really considers it such?

Mr. CHARLES C. SMITH. Mr. Speaker, may I interrogate the Majority Leader please?

The SPEAKER. The gentleman from Westmoreland has the floor.

Mr. CHARLES C. SMITH. Mr. Speaker, will the

gentleman from Westmoreland yield so that I may interrogate the Majority Leader?

Mr. LOVETT. I shall be glad to, Mr. Speaker.

The SPEAKER. The gentleman from Westmoreland yields to the gentleman from Berks, Mr. Readinger, the Majority Leader.

Mr. READINGER. Mr. Speaker, how did I get into this?

Mr. CHARLES C. SMITH. I believe, Mr. Majority Leader, you would be in the confidence of the Governor, is that right?

Mr. READINGER. I would hope so, Mr. Speaker.

Mr. CHARLES C. SMITH. Mr. Speaker, did the Governor say that he would sign this tax program he is asking us to pass?

Mr. READINGER. He did not have to tell me that, Mr. Speaker.

Mr. CHARLES C. SMITH. Will the Governor sign it, Mr. Speaker?

Mr. READINGER. I presume he will, Mr. Speaker. He is espousing it.

Mr. CHARLES C. SMITH. I think, Mr. Speaker, that will be the answer to the question of the gentleman from Westmoreland. The Governor has said he will veto the sales tax, the Governor states in all his messages that this is a manufacturers' excise tax. I only give him the Governor's word.

Mr. LOVETT. Mr. Speaker, I would like to ask further of the gentleman if in his own personal opinion, not the Governor's opinion, he himself feels this is a sales tax?

Mr. CHARLES C. SMITH. Mr. Speaker, if the gentleman will read every speech I have made he will never find that I have referred to this as a sales tax. I have used the words that the Governor has used, "the manufacturers' excise tax."

Mr. LOVETT. Mr. Speaker, I take it from that the gentleman does not think this is a sales tax in any form?

Mr. CHARLES C. SMITH. I believe I answered the gentleman on it, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I thank the gentleman for his answer on that.

Now I would like to further interrogate him, if I may.

During the debate on the classified income tax that we had I recall the gentleman referring to that act as a wage tax. If the gentleman can explain why he contends very strenuously that this is an excise tax now, and construed a classified income tax as a wage tax, then I shall appreciate his explanation of how he can accomplish that.

Mr. CHARLES C. SMITH. Mr. Speaker, I will try. I think the gentleman will agree, and I will have to then interrogate him in turn, Mr. Speaker. If a bit of money is taken from an individual's wages or salary, what kind of a tax would that be? Would that not be a wage tax? In Philadelphia where we take from the people's salary a percentage of it, is not that a wage tax? Or shall we dress it up by calling it a classified income tax? It comes out of the man's wages.

Mr. LOVETT. You can dress it up by calling it a income tax.

Mr. CHARLES C. SMITH. But it is a wage tax.

Mr. LOVETT. Mr. Speaker, would the gentleman agree with me that it is . . .

Mr. CHARLES C. SMITH. Mr. Speaker, I am asking the gentleman a question. Is it a wage tax?

Mr. LOVETT. Mr. Speaker, it is an income tax.

Mr. CHARLES C. SMITH. I see. Does the average working man when he gets his envelope come home and say to his wife, "Darling, here is my income," or does he say "Here are my wages?"

Mr. LOVETT. Mr. Speaker, when I go home I say to my dear wife, "Darling, this is my income."

Mr. CHARLES C. SMITH. Of course, Mr. Speaker, it depends on what bracket you are in.

Mr. LOVETT. Mr. Speaker, I do not wish to make the interrogation funny. I feel that if the gentleman had requests for public hearings I was perfectly willing to go along and have a public hearing. I feel the gentleman well knows that the manufacturer will pass this on to the consumer, is that correct? Do you feel that will happen?

Mr. CHARLES C. SMITH. Mr. Speaker, I presume that the manufacturer after passing it on to the jobber, after passing it on to the distributor, it will be a pyramided excise tax passed on to the consumer, yes.

Mr. LOVETT. Now Mr. Speaker, we are going to pass an excise tax on to the consumer, is that it?

Mr. CHARLES C. SMITH. Mr. Speaker, that is what it is. The Governor says so. I do not want to make this gentleman a fabricator, he says it is an excise tax, here is his message.

Mr. LOVETT. Mr. Speaker, in order to make my point —I thank the gentleman very kindly for his answers, he certainly is evasive in the thing. He, to my knowledge, has advocated a sales taxes all during the session of the Legislature, he has advocated that the Governor swallow his pride and that we have a sales tax. To my mind this is a sales tax, it will be passed on to the consumer and will be a sales tax. The responsibility for this sales tax that we now have, or that we are going to vote for, comes from the demand of the other side of this House that we have a sales tax and not an income tax. So, therefore, Mr. Speaker, I just would like to make it clear that I do not feel that the responsibility for this sales tax is over here on this side of the House, the responsibility is over there on that side of the House.

Mr. CHARLES C. SMITH. Mr. Speaker, if the gentleman is correct, the Governor will not be able to sign it. Either he does not agree with the Governor or the Governor does not agree with his thinking, because the Governor has continually said he would veto a sales tax. If the Governor signs this bill, it will prove to anyone who has listened to him that it is not a sales tax. The Governor is bound by his own promise, unless he chooses to break that one too, and signs a sales tax.

On the question recurring,

Will the House agree to the bill on second reading as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1880, entitled:

An Act to further amend sections twenty and twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by requiring additional reports and changing the due date of certain payments of capitol stock tax and franchise tax and changing the gross receipts fraction applicable to foreign corporations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

COMMITTEE MEETINGS

BOROUGHS, Mr. Filo, Chairman, Room 324, Tuesday, November 22, at 11:30 p. m.

CHILD CARE, Mr. Maxwell, Chairman, Room 330, Tuesday, November 22, at 11:15 p. m.

CITIES—COUNTIES FIRST CLASS, Mr. Kolankiewicz, Chairman, Room 521, Tuesday, November 22, at 11:30 p. m.

CITIES—COUNTIES 2ND AND 2ND CLASS A, Mr. Mihm, Chairman, Room 521, Tuesday, November 22, at 11:45 p. m.

CONSERVATION AND WILD LIFE, Mr. Breth, Chairman, Room 331, Tuesday, November 22, at 11:45 p .m.

INSURANCE, Mr. Robert K. Hamilton, Chairman, Room 330, Tuesday, November 22, at 11:30 p. m.

LIQUOR CONTROL, Mr. Stank, Chairman, Room 325, Tuesday, November 22, at 11:45 p. m.

RAILROADS and RAILWAYS, Mr. Taylor, Chairman, Room 325, Tuesday, November 22, at 11:30 p. m.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 11:00 o'clock p. m. The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. POLASKI asked and obtained permission for the Committee on State Government to meet during the sessions of the House.

BILLS INTRODUCED AND REFERRED

By Mrs. VARALLO, Messrs. KAMYK and TOLL.

HOUSE BILL No. 1904.

An Act amending the act of September 26, 1951 (P. L. 1536), entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged; conferring certain powers and duties upon the Department of Welfare; imposing license fees; and providing penalties," further providing for refusal to grant, refusal to renew, and revocation of licenses; changing license fees.

Referred to the Committee on Welfare.

By Mr. COMER. HOUSE BILL No. 1905.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolly omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing registration fees for certain motor buses and motor omnibuses.

Referred to the Committee on Motor Vehicles.

ADJOURNMENT

Mr. KOLANKIEWICZ. Mr. Speaker, I move that this House do now adjourn until Wednesday, November 23, 1955 at 12:01 a. m.

The motion was agreed to, and (at 11:59 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1955. 141st of the General Assembly.

Vol. 34. HARRISBURG, PA., NOVEMBER 23, 1955 No. 108.

HOUSE OF REPRESENTATIVES

WEDNESDAY, November 23, 1955.

The House met at 12:01 a. m.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Reverend Viggo Swenson, Pastor of Zion Lutheran Church, Harrisburg, guest Chaplain, offered the following prayer:

Almighty and most merciful Father, who has promised that where two or three are gathered together in Thy name Thou wilt be in the midst of them, be present with us now, we humbly pray. Give clarity of thought and depth of insight to these assembled legislators. May they ever be conscious of being watched by people who yearn for peace, freedom and economic well-being. But watched also by people who desire unmerited gain and special privilege. May Thy servants here keep before them the ideals for which the Pilgrims risked their lives. May they bend their efforts to maintaining these ideals. Let neither unjust criticism nor misunderstanding of their motives ever cause them to swerve from their duty. Where people refuse to understand or appreciate their efforts, give each of them the assurance of Thy approving, "Well done, good and faithful servant." In the Master's Name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, November 22, 1955, will be postponed until printed. The Chair hears none.

RESOLUTION

CONDOLENCE

Messrs. LIMPER, CIANFRANI, FRASCELLA, COMER, BRANCA, GELFAND, EILBERG, MULDOWNEY, Mrs. VARALLO, Messrs. PETTIGREW, GRANVILLE E. JONES, FINEMAN, HOLT, Mrs. SARA A. ANDERSON, Mrs. MONROE, Mr. MULLEN, Mrs. PASHLEY, Messrs. McCORMACK, FLOYD, DOUGHERTY, HEAVEY, BAZIN, ROSEN, TAYLOR, KOLANKIEWICZ, McGEE, TOLL and LEVEN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, November 23, 1955.

The late Honorable Miles W. Lederer was born in Philadelphia, Pennsylvania, on December 30, 1897, and died on December 25, 1953. He was married to the former Susan A. Scullin.

In the earlier years of his life he attended Northeast High School and Business College, then became an auditor investigator with the Department of Auditor General for twelve years. In addition thereto he was leader of the Eighteenth Democratic Executive Committee and member of the Democratic State Executive Committee.

During World War I he served overseas and upon his return became very active in many social, fraternal, political and civic organizations, including the American Legion, Elm Tree Post 88, Shackamaxon Civic Association, Penn Treaty Parent-Teachers Association, 18th Ward Community Council, was active in organizing the Shackamaxon Boys Club, now under the supervision of the Crime Prevention Association, and advocated a program to make Penn Treaty Park a National Shrine. His great interest in the police force of the City of Philadelphia rewarded him the office of Secretary of the Police Pension Fund.

In 1948 he was elected to the House of Representatives from his district and served for three successive terms with a devotion to his duties and a keen interest in his community. His life was a model of diligence, humility and self-sacrifice. His wise and valuable counsel was sought by his associates in all walks of life. His generosity and kindness to others was evidenced by his extensive and relentless efforts to help his fellow citizens on every possible occasion; therefore be it

Resolved, That this House of Representatives hereby extends its heartfelt sympathy and condolences to Mrs. Susan A. Lederer, the bereaved widow of the late Representative Miles W. Lederer and to his children; and be it further

Resolved, That copies of this resolution be sent to Mrs. Susan A. Lederer and the children.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. AMARANDO asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

Mr. MUSTO asked and obtained permission for the Committee on Townships to meet during the session of the House.

JUDGE WOODSIDE WELCOMED

The SPEAKER. The Chair notes the presence in the Hall of the House of the Honorable Robert E. Woodside, former Member of this House, a former Floor Leader, and now a Judge of the Superior Court.

Without objection, the Chair asks Judge Woodside briefly to adress the Members of the House. The Chair hears no objection.

ADDRESS BY JUDGE ROBERT E. WOODSIDE

JUDGE ROBERT E. WOODSIDE. Mr. Speaker and

Members of the House, judges are not accustomed to making speeches at this hour of the night, although I had a lot of experience here in the old days of talking around this hour and a great deal later. I have gotten out of the habit of talking at night and most other times, too.

This is the first time I have been back in the House of Representatives while it was in session this year, and I certainly want to say hello to all my old friends. It is sort of like coming back to "homecoming" at college to be back in the House of Representatives and see all my old friends. I know the importance of the work you are doing. You have an opportunity to do a lot of constructive work in the House of Representatives. I often said that getting out of the House of Representatives and getting on the Bench was a little bit like getting out of a baseball game and starting to umpire. It is really more fun to play baseball than it is to umpire. You are here in a very important capacity and are doing a very important job.

I am certainly privileged to be back here and I congratulate the Speaker on the splendid work he does. I know when I was over on that side of the House and he was over on this side, I was always very careful in my debate, because I knew he was going to answer and I knew he always had very keen remarks, very logical, and the witty and sharp barbs were always very interesting. It is a great pleasure to be back here and to say "hello" to all of you.

SENATOR MAHANY WELCOMED

The SPEAKER. The Chair also notes the presence in the Hall of the House of the distinguished Senator, the Majority Leader in the other branch of this General Assembly. The Chair invites the distinguished Senator to occupy a seat on the rostrum and, if he is so disposed and is so graciously inclined, to make a few remarks to the Members of this group. The Chair hears no objection.

ADDRESS BY SENATOR ROLAND B. MAHANY

SENATOR ROLAND B. MAHANY. Mr. Speaker and Members of the House, I, too, am glad to return to the scene of my first crimes in Harrisburg, along with Judge Woodside. He has gone a lot farther than I have. I have just gone to the upper House and he has gone on beyond so that he ca ninterpret all the things that we do here.

I am a little bit suspicious that all the Speaker is doing here in calling on us old Members is to stall around a little bit so as to be sure all the Democratic Members are in their seats before you vote on this tax bill tonight.

I want you to give it all due consideration, because when you fellows get through with it and send it over to the Senate, we expect to scrutinize every paragraph of it We expect to go into all the details and certainly want to find out how far the word "fertilizer" goes and see if we canont put in some good exemptions for the benefit of our farmers.

It is always nice to be back here and visit with you. I will say this, you have a lot more spirit over here at times than we do over there and sometimes I long to be back here and engage in the tussles you have on the floor of the House of Representatives.

I do want to take this opportunity, however, to bring you greetings from the great branch this is known as the "Upper House" of the Legislature, the great Senate of the Commonwealth of Pennsylvania.

The SPEAKER. Where they ever got that stuff of th "Upper House," I really would not know. I think it is a inheritance from the English tradition where the Hous of Lords was on one level and the House of Common on the other. So the House of Lords got the appellatio of the "Upper House." But I call your attention to th record of history, the time came when the British Hous of Lords ceased to exercise its sovereinty and became th subject of the lower house, the British House of Commons

CALENDARS DISTRIBUTED

The SPEAKER. The Chair requests the Chief Clerk t distribute calendars for Wednesday, November 23rd. An Members who have not received a copy of the calenda will contact the Chief Clerk.

REPORTS FROM COMMITTEES

Mr. BOIES from the Committee on Liquor Control reported as amended, House Bill No. 319, entitled:

An Act amending the act of April 12, 1951 (P. L. 90 entitled "An act relating to alcoholic liquors, alcohol an malt and brewed beverages; amending, revising, consoli dating and changing the laws relating thereto; regulatin and restricting the manufacture, purchase, sale, possession consumption, importation, transportation, furnishing holding in bond, holding in storage, traffic in and use o alcoholic liquors, alcohol and malt and brewed beverage and the persons engaged or employed therein; definin the powers and duties of the Pennsylvania Liquor Contro Board; providing for the establishment and operation o State Liquor Stores, for the payment of certain licens fees to the respective municipalities and townships, fo the abatement of certain nuisances and, in certain cases for search and seizure without warrant; prescribing pen alties and forfeitures; providing for local option, and re pealing existing laws," permitting the exchange of liquo licenses for retail dispenser's licenses and establishin procedure therefor.

Mr. HASS from the Committee on Insurance, reported as committed, House Bill No. 776, entitled:

An Act reenacting and amending the title and act o June 27, 1939 (P. L. 1125), entitled, as amended, "An act providing for the regulation and supervision of nonprofit medical, dental and osteopathic service corporations organized to provide medical, dental or osteopathic services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical, dental and osteopathic service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine, doctors of dental surgery and doctors of osteopathy to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner; each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, associations, common law trust or corporation, except a non-profit medical, dental and osteopathic service corporation, from providing medical, dental or osteopathic services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive

elief for the enforcement of, the provisions of this act," ncluding in the plan chiropody services and defining Chiropody services," for the purpose of this act only.

Mr. ROSEN from the Committee on Appropriations, eported as committed, House Bill No. 1082, entitled:

An Act making an appropriation to The Franklin nstitute of the State of Pennsylvania, at Philadelphia, ennsylvania, for defraying part of expenses of the 250th nniversary Celebration of the birth of Benjamin Franklin.

Mr. FRANK from the Committee on State Government. eported as amended, House Bill No. 1164, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), ntitled "An act providing for and reorganizing the conuct of the executive and administrative work of the ommonwealth by the Executive Department thereof and ne administrative departments, boards, commissions, and fficers thereof, including the boards of trustees of State ormal Schools, or Teachers Colleges; abolishing, creatng, reorganizing or authorizing the reorganization of cerain administrative departments, boards, and commissions; efining the powers and duties of the Governor, and ther executive and administrative officers, and of the everal administrative departments, boards, commissions, nd officers; fixing the salaries of the Governor, Lieutennt Governor, and certain other executive and administrave officers; providing for the appointment of certain dministrative officers, and of all deputies and other assistants and employes in certain departments, boards, and ommissions; and prescribing the manner in which the umber and compensation of the deputies and all other ssistants and employes of certain departments, boards nd commissions shall be determined," further providng for the powers and duties of the Advisory Council n Affairs of the Handicapped, and authorizing the Secetary of Labor and Industry to appoint an executive secetary and other necessary personnel.

Mr. VERONA from the Committee on Cities—Counties econd and Second Class A, reported as committed, House ill No. 1267, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), ntitled "An act relating to counties of the second class; mending, revising, consolidating and changing the laws elating thereto" increasing the annual salaries of certain fficers in counties of the second class.

Mr. ROSEN from the Committee on Appropriations eported as amended, House Bill No. 1306, entitled:

An Act making an appropriation to the Philadelphia ollege of Osteopathy, Philadelphia, Pennsylvania, for aintenance and support.

Mr. PACCHIOLI from the Committee on Townships, eported as committed, House Bill No. 1348, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), ntitled "An act concerning townships of the second class; nd amending, revising, consolidating, and changing the w relating thereto," changing the procedure in appointent of special school police; and abolishing liability of ne board of school directors for compensation of such olice.

Mr. KORNICK from the Committee on Townships, eported as committed, House Bill No. 1456, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) ntitled, "An act concerning townships of the second class; nd amending, revising, consolidating, and changing the w relating thereto," authorizing supervisors to annually ppropriate money for certain nursing services.

Mr. THOMAS from the Committee on State Governent, reported as committed, House Bill No. 1517, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," further regulating the membership of the governing body of an Authority.

Mr. SWARTZ from the Committee on Conservation and Wild Life, reported as committed, House Bill No. 1720, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 842), entitled "An act relating to the acquisition of rights to divert water from rivers, streams natural lakes, and ponds, or other surface waters within the Commonwealth or partly within and partly wihout the Commonwealth; defining various words and phrases; vesting in the Water and Power Resources Board certain powers and authorities for the conservation, control and equitable use of the waters within the Comonwealth in the interests of the people of the Commonwealth; making available for public water supply purposes, water rights heretofore or hereafter acquired but not used; providing for hearings by the Water and Power Resources Board and for appeals from its decisions; fixing fees; granting to all public water supply agencies heretofore or hereafter created the right of eminent domain as to waters and the land covered by said waters; repealing all acts or parts of acts inconsistent herewith, including Act No. 109, Pamphlet Laws 152, approved April 13, 1905, Act No. 307, Pamphlet Laws 455, approved June 7, 1907, Act No. 64, Pamphlet Laws 258, approved April 8, 1937," by further regulating the period within which water rights must be acquired.

Mr. PACCHIOLI from the Committee on Boroughs, reported as committed, House Bill No. 1815, entitled:

An Act authorizing council of any incorporated town to create the office of town manager, and prescribe his powers and duties.

Mr. WELSH from the Committee on Cities—Counties First Class, reported as committed, House Bill No. 1819, entitled:

An Act enabling the department of procurement of cities of the first class to establish by resolution the requirements of responsible bidders for city printing.

Mr. WELSH from the Committee on Cities—Counties First Class, reported as committed, House Bill No. 1820, entitled:

An Act enabling county commissioners of counties of the first class to establish by resolution the requirements of responsible bidders for county printing.

Mr. HORST from the Committee on Insurance, reported as committed, House Bill No. 1873, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and interinsurance exchanges and certain societies

and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by changing provisions relating to certain legal proceedings.

Mr. SARRAF from the Committee on Appropriations, reported as amended, House Bill No. 1877, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," changing the basis for reimbursement on account of rentals payable to the State Public Building Authority, municipality authorities and non-profit corporations and the conditions therefor and limitations on approval of projects for reimbursement purposes; providing for reimbursement on account of sinking fund charges in indebtedness for school buildings hereafter constructed and making an appropriation.

Mr. SNIDER from the Committee on Appropriations, reported as committed, House Bill No. 1881, entitled:

An Act making an appropriation to the Department of Public Instruction for payment to school districts on account of approved reimbursable rental payable to the State Public School Building Authority, municipality authorities and nonprofit corporations.

Mr. ROBERT K. HAMILTON from the Committee on State Government reported as committed, Senate Bill No. 53, entitled:

An Act providing for the revocation of commission of notaries public issuing checks without funds on deposit.

Mr. MORAN from the Committee on Boroughs, reported as committed, Senate Bill No. 325, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," further regulating the incorporation of boroughs; changing certain penalties and making such changes retroactive; fixing the expense allowance for delegates to the meetings of the State Association of Boroughs; providing for the creation of capital reserve funds for capital expenditures, and the advertising of notices relative to land subdivision ordinances.

Mr. OGLIVIE from the Committee on Child Care, reported as committed, Senate Bill No. 400, entitled:

An Act amending the act of May 23, 1907 (P. L. 227) entitled "An act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husbands" including desertion of children and extending the right of action.

Mr. OLSEN from the Committee on Liquor Control, reported as amended, Senate Bill No. 511, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," permitting transfer of distributor' and importing distributor's licenses anywhere within th same county.

Mr. CAPANO from the Committee on Boroughs, reported as committed, Senate Bill No. 520, entitled:

An Act amending the act of May 4, 1927 (P. L. 519 entitled "An act concerning boroughs and revising amend ing and consolidating the law relating to boroughs" furthe regulating the procedure to be followed in enacting neces sary ordinances in the course of preparing a consolidatin codification or revision of ordinances.

Mr. FRASCELLA from the Committee on Motor Ve hicles, reported as amended, Senate Bill No. 773, entitled

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways, and the operation o vehicles, tractors, street cars, trackless trolley omnibuses bicycles, pedestrians, and the riding of animals upon th highways of this Commonwealth; providing for the titl ing, including liens, encumbrances, and legal claims registration of certain vehicles and licensing the oper ators thereof, upon payment of prescribed fees; prescrib ing and limiting the powers of local authorities to dea with the subject matter of this act; conferring power and imposing duties upon the Department of Revenue the Department of Highways, peace officers, mayors, bur gesses, magistrates aldermen, justices of the peace, th courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, bor oughs, incorporated towns, townships, within the Com monwealth liability for damages caused by the negligen operation of their motor vehicles, imposing penalties; im posing certain costs upon counties; providing for the dis position of fines, forfeitures, fees, and miscellaneous re cepits; making an appropriation and providnig for re funds" prohibiting the operation of motor vehicles th mufflers of which have internal parts removed and chang ing penalties.

Mr. BOIES from the Committee on Appropriations, re reported as committed, House Bill No. 623, entitled:

An Act amending the act of March 10, 1949 (P. L. 30 entitled "An act relating to the public school system in cluding certain provisions applicable as well to privat and parochial schools amending revising consolidatin and changing the laws relating thereto" providing fo payment by the Commonwealth to school districts for th acceptance of non-resident inmates of children's institu tions into its schools.

Mr. THOMPSON from the Committee on Cities Counties Second Class re-reported as committed, House Bill No 833, entitled:

An Act amending the act of June 12, 1919 (P. L. 476 entitled as amended "An act to regulate and establish the fees to be charged and collected by the recorder o deeds in counties of the second class" increasing amoun of fees to be charged and collected by recorders in counties of the second class.

Mr. SCHUSTER from the Committee on Cities Counties Second Class, re-reported as committed, House Bill No 832, entitled:

An Act amending the act of May 3, 1915 (P. L. 226) entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth, in counties having over eight hundred thousand, and less than one

illion five hundred thousand, inhabitants, according to he last preceding United States census," changing and urther fixing the fees to be charged by the prothonotary.

Mrs. VARALLO from the Committee on Appropriations, e-reported as amended, House Bill No. 1073, entitled:

An Act providing for the establishment of forestry conervation camps by the Department of Welfare and the Department of Justice for the retraining of male delinuents.

Mr. COCHRAN from the Committee on Appropriations, e-reported as amended, House Bill No. 1129, entitled:

An Act amending the act of May 17 1929 (P. L. 1798) ntitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose f preserving and perpetuating a portion of the original orests of Pennsylvania and preserving and maintaining he same as public places and parks and the distribution f the same for county school township and road purposes n the counties school districts and townships where such orests are located and making an appropriation" requirng the Commonwealth for a limited time to pay charges o counties on certain Federal forest reserves.

Mrs. VARALLO from the Committee on Appropriations, e-reported as amended, House Bill No. 1470, entitled:

An Act amending the act of June 24 1937 (P. L. 2051) ntitled "An act relating to public assistance providing for nd regulating assistance to certain classes of persons esignated and defined as dependent children aged perons blind persons and other persons requiring relief proiding for the administration of this act by the Departnent of Public Assistance and county boards of assistance ereby created for this purpose authorizing the Departnent of Public Assistance to cooperate with and to accept nd disburse moneys recieved from the United States Government for assistance to such persons providing for he liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and epealing laws relating to mothers' assistance pensions or the blind old age assistance and the State Emergency Relief Board" including financial assistance for nursing ome care within the word assistance and making an ppropriation.

Mrs. VARALLO from the Committee on Appropriations, e-reported as amended, House Bill No. 1786, entitled:

An Act providing for cooperation by the Commonvealth of Pennsylvania in conjunction with the State of New Jersey with the United States of America in the improvement and maintenance of the Delaware River beween Allegheny Avenue Philadelphia, Pennsylvania and Trenton Marine Terminal Trenton, New Jersey and makng an appropriation.

Mr. YETTER from the Committee on Agriculture and Dairy Industries, re-reported as amended, House Bill No. 592, entitled:

An Act amending the act of April 28, 1937 (P. L. 417), ntitled "An act relating to milk and the products thereof; reating a Milk Control Commission; establishing its urisdiction, powers and duties; regulating the production, ransportation, manufacturing, processing, storage, disribution, delivery and sale of milk and certain products hereof; providing for the licensing of milk dealers and he payment of fees therefor; requiring milk dealers to ile bonds to secure payment for milk to producers and ertain milk dealers; authorizing the holding of hearings nd the issuance of subpoenas by the commission; conerring jurisdiction upon courts to punish contempts and o prohibit violations of this act and of rules, regulations nd orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, record and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commisison to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals; prescribing penalties fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," changing the provisions relating to licenses license fees and suspension and revocation of licenses.

Mr. McLAUGHLIN from the Committee on Cities—Counties—Second and Second Class A, re-reported as committed, House Bill No. 1706, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" reducing interest on damages allowed in eminent domain proceedings.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SNIDER asked and obtained unanimous consent to add additional sponsors to a bill to be reported from Committee.

The SPEAKER. The Chair notes the presence in the Hall of the House of a distinguished Democrat, the Honorable Guy J. Swope, and his charming wife. Mr. Swope has served as Governor of Porto Rico, he was a member of General MacArthur's staff in Tokyo and a member of High Commissioner McCloy's staff in Germany. The Chair invites the Honorable Guy J. Swope to address the House.

ADDRESS OF HON. GUY J. SWOPE

Mr. SWOPE. Mr. Speaker and Members of the House, I would like to take just a moment to express to you the extreme devotion that I have for the representative system of the American government and the government of the various states and Commonwealths of this union. Having been General MacArthur's officer on the recreation of the Japanese parliament following the war and working with the new German Bundesrath in Germany after the war, two bodies which were created upon the ashes of two other parlimentary bodies which did not do the basic work that a parlimentary body is supposed to do and brought ruin to both of those countries. Therefore, knowing something about the American system before I went over there, when I came back I had an added devotion to the system which we follow in this country with two responsible and responsive parties openly fighting out the battle on the floors of our various legislative bodies, and coming eventually to the decision which is the will of the people.

Thank you very much, Mr. Speaker.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 980, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the recommending nominating and appointing of supervisors of agriculture homemaking and industrial education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 981, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" removing the limitations on the maximum compensation payable by the Commonwealth for vocational extension classes and permitting the payment of the full cost of certain vocational training courses and providing for the revision of the budget in such cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1231, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (1) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by including services of industrial insurance agents within the definition of employment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1370, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase or condemnation certain lands located in Brady Township Butler County Pennsylvania on Route 8 about twelve miles north of the city of Butler providing for the control maintenance and improvement thereof and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1399, entitled:

An Act requiring employers to pay for medical examination fee where such examination is a condition of employment

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1530, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" increasing the amount of tax which may be levied and collected for general revenue purposes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1738, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for Commonwealth ownership of patentable matters developed in State institutions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1782, entitled:

An Act relating to apprenticeship creating a State Apprenticeship Council in the Department of Labor and Industry to formulate an apprenticeship policy and program and defining its powers and duties and providing for administration

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1821, entitled:

An Act authorizing the Deartment of Welfare to enter into an agreement with the City of Philadelphia granting a license to the city to construct and maintain a sanitary and storm drainage right-of-way in over and under the grounds of the Philadelphia State Hospital

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1831, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by adding a certain classification and definition of motor vehicles and fixing a fee therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1832, enttiled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upo ncounties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the maximum gross weights allowed for certain vehicles

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1833, entitled:

An Act amending the act of April 15 1873 (P. L. 75) entitled "An act relating to the fees of the surveyor general" increasing fees to be charged by the Department of Internal Affairs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1838, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further regulating the admission of beginners to the public schools

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1839, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the definition of the word "chasis" to include a rear bumper and requiring passenger motor vehicles to be equipped with certain types of exhaust pipes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1848, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" excluding the weight of safety devices in determining gross weight

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1860, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating official inspections of motor vehicles trailers and semi-trailers

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1862, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistraes aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" making it a crime to commit a fraud regarding any former application filed with the department

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1863, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating lighting equipment lights and devices and the use thereof and prescribing penalties

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1864, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating the use of registration plates warning devices and flags and clarifying the designation of "No Passing Zones"

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1868, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties

providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" prohibiting driving on the wrong side of a divided highway

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1869, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" making it unlawful for any person to lend or permit the use of an operator's license or learner's permit not issued to him

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 105, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," directing the issuance of special registration plates to war amputees and paralytics and exempting such persons from the payment of certain fees in connection with motor vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 125, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the permanent registration and the issuance of permament registration plates to political subdivisions for fire and police vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 156, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" authorizing the department to provide for certain work on municipally owned public utilities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 165, entitled:

An Act amending the act of June 30, 1947 (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," changing the method of selecting panels for the adjustment of grievances of certain school district employes and imposing additional duties on such panels.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 384, entitled:

An Act amending the act of April 9 1929 (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commowealth the collection and recovery of fees and other money or property due or belonging to

the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" providing for the payment of refunds of moneys to persons entitled thereto in lieu of crediting their accounts and appropriating moneys for the payment of such refunds and of existing credits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 524, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an apropriation and providing for refunds," defining transit mix vehicles, and fixing registration fees and permissible weights therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 528, entitled:

An Act authorizing and empowering the Delaware River Port Authority to finance construct erect acquire operate maintain and own a new toll bridge for vehicular traffic across the Delaware River between Philadelphia County Pennsylvania and Burlington County or Camden County New Jersey at a location to be selected by the said Delaware River Port Authority between a point or points within a three mile radius of the intersection of State Road and Levick Street in the City of Philadelphia Pennsylvania and a point or points within a three mile radius of the intersection of New Jersey State Route 73 Market Street and Temple Boulevard in the Borough of Palmyra County of Burlington New Jersey together with such approaches thereto and such highway connections as may be necessary or desirable and granting and defining and continuing certain powers of eminent domain and other functions powers duties and privileges all of said actions to be taken pursuant to and in accordance with this act and the Compact or Agreement and amendments or supplements thereto between New Jersey and Pennsylvania dated July 1, 1931, August 23, 1951 and August 30, 1951 and the consent by the Congress of the United States thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 543, entitled:

An Act to further amend clause (f) of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the maximum gross weight and axle load of certain commercial motor vehicles

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 723, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" authorizing joint school committees to manage designated functions of joint schools or departments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 724, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the payment of money withheld from State appropriations to pay default in rent to a municipality authority or nonprofit corporation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1159, entitled:

An Act to further amend subdivision (3) of subsection (1) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide money for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by extending the provisions thereof to include employes of the State and political subdivisions.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.
The motion was agreed to.

HOUSE BILL NOS. 1879 AND 1880 MADE A SPECIAL ORDER

Mr. ? ? ? . Mr. Speaker, I move that House Bill No. 1879, Printer's No. 1136, on page 37 and House Bill No. 1880, Printer's No. 1094, on page 38 of today's calendar, bills on third reading be made a special order of business immediately.
The motion was agreed to.

The SPEAKER. The Chair lays before the House the first bill on special order fixed for this time, House Bill No. 1879 on page 37 of today's calendar.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1879 as follows:

An Act to provide revenue for Commonwealth purposes by imposing a tax on the sale use storage or consumption of certain tangible personal property providing for licenses reports payment of tax interest and penalties assessments collections liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers corporations partnerships associations and individuals
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

ARTICLE 1

SHORT TITLE AND DEFINITIONS

Section 1 Short Title This act shall be known and may be cited as the "Manufacturers Excise Tax Act"
Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

(a) "Department" The Department of Revenue of this Commonwealth

(b) "Drinks" shall mean only soft drinks and alcoholic beverages

(c) "Food" Tangible personal property commonly taken by man or other animals into the body by mouth for a nutritive purpose but shall not include drinks and confection

(d) "Manufacture" The performance of the operation or operations which place tangible personal property in a form different from that in which it is acquired except that harvesting mining transportation and operations incidental thereto shall not be considered as operations bringing about a change of form or condition for the purposes of this definition

(e) "Manufacturer" (1) Subject to paragraph (2) of this subsection any person who performs the operation defined in subsection (d) of this section except where such person performs such operation under an agreement for services even though minor or incidental materials also are furnished in which case the person for whom the services are rendered shall be the manufacturer

(2) Where tangible personal property is manufactured by two or more persons in sequence the manufacturer shall be the person last manufacturing the tangible personal property into the form or condition in which it is commonly advertised or offered for sale

(f) "Manufacturer's sale price" (1) the total consideration for the lease or first transfer of tangible personal property following the completion of manufacture

(2) Whee another person has supplied to the manufacturer for a reduced or no consideration tangible personal property or a right or license which is an ordinary and necessary element of manufacturing cost the manufacturer's sale price shall include the value of such property right or license at the time of the lease or first transfer of the tangible personal property following the completion of manufacture

(3) For the purpose only of imposition of tax in the absence of satisfactory documentary evidence to the contrary the manufacturer's sale price paid for the tangible personal property by any taxpayer

(4) Where the person subject to the tax under section two hundred one (b) is also the manufacturer of the tangible personal property with respect to which such tax is imposed the manufacturers sale price shall be the prevailing price at which similar tangible personal property in similar quantities is commonly sold at the time of use

(g) "Person" Any natural person association partnership corporation political subdivision body politic or corporate but not including the United States or the Commonwealth Whenever used in any clause prescribing and imposing a penalty or imposing a fine or imprisonment or both the term "person" as applied to an association shall include the members thereof and as applied to a corporation the officers thereof

(h) "Retailer" Anyone who sells tangible personal property to the general public

(i) "Sale" The transfer for a consideration of ownership of tangible personal property from one person to another and includes the lease (including any renewal or extension of a lease or any subsequent lease) of tangible personal property

(j) "Storage" Any keeping or rentention of tangible personal property within this Commonwealth

(k) "Tangible Personal Property for Further Manufacture" Tangible personal property which will become an ingredient or actual component part of any tangible personal property

(l) "Taxpayer" Any person required to pay the tax imposed by this act

(m) "Use" The exercise of any right or power incidental to the ownership of tangible personal property and shall include but not be limited to storage and consumption

(n) "Wholesaler" Any person not a manufacturer retailer or consumer

ARTICLE

IMPOSITION OF TAX AND CREDITS

Section 201 Imposition of Tax There is hereby imposed a tax of three and one-half per centum (3½%) of the manufacturer's sale price upon the

(a) sale of all tangible personal property manufactured within the Commonwealth and sold for use therein payable by the manufacturer at the time of the sale thereof by him or

(b) use of all tangible personal property manufactured purchased or leased after the effective date of this act for use within the Commonwealth payable by the person who uses such property at the time of the acquisition thereof by him except in any case where tax previously has been or is paid under this subsection or subsection (a) upon the use or sale of such property and with respect to which credit has not been determined pursuant to section two hundred three (c)

(c) Use of all alcoholic beverages purchased by the Liquor Control Board of the Commonwealth after the effective date of this act for use within the Commonwealth payable at the time of acquisition thereof except in any case where tax previously has been or is paid under subsection (a) or (b) of this section upon the use or sale of such alcoholic beverages and with respect to which credit has not been determined pursuant to section two hundred three (c)

Section 202 Exclusions from Tax The tax imposed by section two hundred one shall not apply with respect to

(a) the sale or use of (1) food (2) fertilizer on the farm

(b) the sale to A licensed manufacturer of tangible personal property for further manufacture

(c) The sale or use of tangible personal property

(1) Sold by any public utility subject to the tax on its gross receipts derived from the sale of such tangible personal property

(2) The proceeds from an excise tax on which are required by the constitution of this Commonwealth to be used solely for a limited and specified purpose

Section 203 Credit Against Tax

(a) Allowance of credit there shall be allowed to a licensee a credit equal to the tax paid under this act with respect to tangible personal property

(1) Shipped to locations outside the Commonwealth

(2) Sold to the United States

(3) Except for alcoholic beverages sold to the Commonwealth instrumentalities or political subdivisions thereof

Provided however that in any case in which a licensee claiming the credit cannot support the claim by proper documentary proof of the amount of tax paid the department may allow such credit in an amount equal to the probable tax paid with respect to such tangible personal property upon the failure of the licensee claiming such credit to establish to the satisfaction of the Department the probable tax paid on any tangible personal property the department shall disallow all credit with respect to such property

(b) Tentative Credit

(1) Certificate The department may issue upon application by a licensee upon a form prescribed by the department a certificate of tentative credit

(2) Determination of Tentative Credit The department shall determine a tentative credit for any taxpayer making application for a tentative credit certificate on the basis of such information as it may reasonably require concerning the prior or probable future experience of the taxpayer.

(3) Application of Tentative Credit In filing the return required by section four hundred twenty (a) a taxpayer who has received a certificate issued by the department pursuant to paragraph (1) of this subsection shall be allowed a credit for the period covered by such return in accordance with such certificate

(c) Actual credit in filing the return required by section four hundred twenty (b) a licensee shall be allowed the credit provided for in subsection (a) of this section with respect to all such tangible personal property either sold to the United States or the Commonwealth instrumentalities or political subdivisions thereof or shipped to locations outside the Commonwealth

Section 204 Refund In the event that the credit against tax determined by a licensee under section two hundrd three (c) is greater than the tax liability to which he is subject under this act the difference shall be refunded to him

ARTICLE III

LICENSES

Section 301 Licenses

(a) Application Every manufacturer wholesaler or retailer shall on or before the thirtieth day after the effective date of this act or prior to the beginning of business thereafter make application to the department on a form prescribed by the department for a license and pay to the department the sum of two dollars ($2.00) therefor Such license shall be nonassignable and of permanent duration

(b) Failure to Apply for a License Any manufacturer wholesaler or retailer who fails to apply for a license under this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) or to undergo imprisonment not exceeding one (1) year or both together with the cost of prosecution The penalties imposed by this section shall be in addition to any other penalties imposed by this act

(c) Liability for Tax Failure of any manufacturer wholesaler or retailer to obtain a license shall not relieve him of liability to pay the tax imposed by this act

ARTICLE IV

PROCEDURE AND ADMINISTRATION

PART 1

RETURNS

Section 401 Persons Required to Make Returns Every person liable for payment or collection of the tax imposed by this act shall file returns with respect to such tax

Section 402 Form of Return The returns required by section four hundred one shall be on forms prescribed by the department and shall show such information with respect to the taxes imposed by this act as the department may reasonably require

PART II

TIME AND PLACE FOR FILING RETURNS

Section 420 Time for Filing Returns

(a) Monthly Returns A return shall be filed monthly with respect to the preceding month A return shall be filed on or before the last day of the month succeeding the month with respect to which the return is made

(b) Annual Returns In addition to the return required by subsection (a) a return shall be filed annually with respect to the preceding calendar year Such return shall be filed by the thirty-first day of January in the year succeeding the year with respect to which the return is made

Section 421 Order Times for Returns The department may upon written request authorize a taxpayer whose books and records are not kept on a calender month basis to file returns at other times than those specified in section four hundred twenty and in lieu of said returns In no event shall a taxpayer be permitted to make less than one return during any five week period Except as to the time of filing all the requirements with respect to returns otherwise filed with the department shall be applicable to returns filed under this section

Section 422 Extension of Time for Filing Returns The department may on written application and for good cause shown grant a reasonable extension of time for filing any return required under this article However the

time for making a return other than an annual return shall not be extended for more than one (1) month and the time for making an annual return shall not be extended for more than three (3) months

Section 423 Place for Filing Returns Returns shall be filed with the department at its main office or at any branch office which it may designate for filing returns

PART III

PAYMENT OF TAX

Section 430 Payment When a return of tax is required under this article the person required to make such return shall pay such tax to the department

Section 431 Time of Payment

(a) Monthly Payments The tax imposed by this act shall be due and payable in monthly installments on or before the last day of the month succeeding the month during which the sales or purchases subject to the tax were made and shall accompany the return for such preceding month

(b) Annual Payments If the amount of tax due for the preceding year as shown by the annual return of any taxpayer is greater than the amount already paid by him in connection with his monthly returns he shall send with such annual return a remittance for the unpaid amount of tax for the year

Section 432 Other Times for Payment In the event that the department authorizes a taxpayer to file a rturn at other times than those specified in section four hundred twenty the tax due shall be paid at the time such return is filed

Section 433 Place for Payment of Tax The tax imposed by this act shall be paid to the department at the place fixed for filing the return

PART IV

ASSESSMENT AND COLLECTION OF TAX

Section 440 Assessment The department is authorized and required to make the inquiries determinations and assssments of the tax (including interest additions and penalties) imposed by this act

Section 441 Mode and Time of Assessment

(a) Underpayment of Tax Within a reasonable time after any return is filed the department shall examine it and if the return shows a greater tax due than the amount of tax remitted with the return the department shall forthwith assess the difference Such difference shall be paid to the department within ten (10) days after notice of its assessment

(b) Understatement of Tax If the department determines that any return of returns of any taxpayer understates the amount of tax due the department shall assess the proper amount and shall determine the difference between the amount of tax shown in the return and the amount assessed such difference being hereafter sometimes referred to as the "deficiency" Such deficiency shall be paid to the department within thirty (30) days after a notice of the assessment thereof shall be mailed to the taxpayer by the department

(c) Failure to to File Return In the event that any taxpayer fails to file a return reqlired by this act the department may assess the tax due and such tax shall be paid within thirty (30) days after such assessment

Section 442 Reassessment Any taxpayer against whom an assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department prior to the time the asesssment becomes due and payable The department shall hold such hearings as may be necessary for the purpose at such times and places as it may determine and each taxpayer who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearing in his case will be held A petition for reassessment if filed shall set forth explicitly and in detail the grounds upon which the taxpayer claims that the assessment is erroneous or unlawful in whole or in part and shall be accompanied by an affidavit under oath or affirmation certifying to the facts stated in the petition If no petition for reassessment has been filed with the department but the taxpayer has given due notice of an intention to appear and be heard the taxpayer may appear at the hearing and present his petition orally in which event all statements of fact at the hearing shall be made under oath or affirmation

It shall be the duty of the department within six (6) months after the hearing or after receiving a filed petition for reassessment to dispose of the issue raised at such hearing or by such filed petition Notice of the action taken shall be given to the petitioner promptly after the date of reassessment by the department

Section 443 Review by Board of Finance and Revenue Within sixty (60) days after the date of mailing of notice by the department of the action taken on any petition for reassessment filed with it or after the department's failure to act within the time specified the person against whom such assessment was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons on which the petitioner relies or shall incorporate by reference the petition for reassessment in which the reasons are stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall act finally in disposing of petition filed with it within six (6) months after they have been received In the event of the failure of the board to dispose of any petition within six (6) months the action taken by the department upon the petition for reassessment shall be sustained The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due on such basis as it deems according to law The board shall give notice of its action by mail to the department and to the petitioner

Section 444 Appeal to the Court of Common Pleas of Dauphin County Any person or the Commonwealth aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon a petition for review within six (6) months may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the board or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlements

Section 445 Burden of Proof In all cases of petitions for reassessment review or appeal the burden of proof shall be upon the petitioner or appellant as the case may be

Section 446 Collection of Tax (a) Collection by Department The department shall collect the tax in the manner provided by law for the collection of taxes imposed by the laws of this Commonwealth

(b) Collection by Persons Maintaining Place of Business in Commonwealth Every person maintaining a place of business in this Commonwealth and making sales of tangible personal property for storage use lease or consumption in this Commonwealth if not otherwise exempted shall at the time of making the sales or if the storage use or consumption is not then taxable hereunder at the time the storage use or other consumption becomes taxable collect the tax from the consumer

Section 447 Collection Upon Failure to Request Reassessment Review or Appeal The department may collect any tax

(a) If an assessment of tax is not paid within ten (10) days or thirty (30) days as the case may be after notice thereof to the taxpayer if no petition for reassessment has been filed

(b) Within sixty (60) days from the date of reassessment if no petition for review has been filed

(c) Within sixty days (60) days from the date of the decision of the Board of Finance and Revenue upon a petition for review or of the expiration of the board's

time for acting upon such petition if no appeal has been made and

(d) In all cases of judicial sales receiverships assignments or bankruptcies

In any such case in a proceeding for the collection of such taxes the person against whom they were assessed shall not be permitted to set up any ground of defense that might have been determined by the department the Board of Finance and Revenue or the courts as aforesaid

Section 448 Lien for Taxes

(a) Lien Imposed If any person liable to pay any tax neglects or refuses to pay the same after demand the amount (including any interest addition or penalty together with any costs that may accrue in addition thereto) shall be a lien in favor of the Commonwealth against all real estate within the Commonwealth of any taxpayer but only after same has been entered and docketed of record by the prothonotary of the county where such real estate is situated as hereafter provided

(b) Priority and Effect of Lien The department may at any time transmit to the prothonotaries of the respective counties certified copies of all liens for taxes imposed by this act and penalties and interest It shall be the duty of each prothonotary receiving such lien to enter and docket the same of record in his office which lien shall be indexed as judgments are now indexed All such liens shall have priority to and be fully paid and satisfied out of the judicial sale of said real estate before any other obligation judgment claim lien or estate with which said real estate may subsequently become charged or for which it may subsequently become liable subject however to mortgage or other liens existing and duly recorded at the time such tax lien is recorded save and except the cost of sale and of the writ upon which it is made and real estate taxes imposed or assessed upon said property The lien of said taxes interest and penalties shall continue for five (5) years from the date of entry and may be revived and continued in the manner now or hereafter provided for renewal of judgments and it shall be lawful for a writ of scire facias to issue and be prosecuted to judgment in the manner in which such written writs are ordinarily employed

(c) Duty of Prothonotary Any wilfull failure of any prothonotary to carry out any duty imposed upon him by this section shall be a misdemeanor and upon conviction he shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

PART V

REFUNDS AND CREDITS

Section 450 Refund or Credit for Overpayment In the case of any overpayment the department within the applicable period of limitations may credit the amount of such overpayment against any liability in respect of the tax imposed by this act on the part of the person who made the overpayment and shall refund any balance to such person

Section 451 Restriction on Refunds No refund shall be made under section four hundred fifty without the approval of the Board of Finance and Revenue

PART VI

LIMITATIONS

Section 460 Limitation on Assessment and Collection The amount of the tax imposed by this act shall be assessed within three (3) years after the date when the annual return required by section four hundred twenty (b) is filed Any such assessment may be made at any time during such period notwithstanding that the department may have made one or more previous assessments against the taxpayer for the year in question or for any part of such year In any such case no credit shall be given for any penalty previously assessed or paid

Section 461 Filing of Incomplete Return or Failure to File Return Where an incomplete return is filed or no return is filed the amount of the tax due may be assessed and collected at any time as to taxable transactions not reported

Section 462 False or Fraudlent Return Where the taxpayer files a wilfully false or fraudlent return with the intent to evade the tax imposed by this act the amount of tax due may be assessed and collected at any time

Section 463 Extension of Limitation Period Notwithstanding any of the foregoing provisions of this part where before the expiration of the period prescribed therein for the determination of a tax a taxpayer has consented in writing that such period be extended the amount of tax due may be determined in any time within such extended period The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period

Section 464 Limitations on Refund or Credit

(a) Application for Refund Any application for refund must be filed with the department within three (3) years from the time the return is required to be filed (determined without regard to any extension of time) or two (2) years from the time the tax was paid whichever is later

(b) Assessment Where No Return Filed If an assessment of tax is made where no return is filed then any application for refund must be filed with the department within one (1) year from the time of payment

PART VII

INTEREST ADDITIONS PENALTIES AND CRIMES

Section 470 Interest If any amount of tax imposed by this act is not paid on or before the last date prescribed for payment interest on such amount at the rate of one-half of one per centum per month for each month or fraction thereof from such date shall be paid for the period from such last date to the date paid The last date prescribed for payment shall be determined without regard to any extension of time for payment

Section 471 Additions

(a) Failure to File Return In the case of failure to file any return required by section four hundred one on the date prescribed therefor (determined with regard to any extension of time for filing) unless it is shown that such failure is due to reasonable cause and not due to wilfull neglect there shall be added to the amount required to be shown as tax on such return five per centum (5%) of the amount of such tax if the failure is for not more than one (1) month with an additional five per centum (5%) for each additional month or fraction thereof during which such failure continues not exceeding twenty-five per centum (25%) in the aggregate

(b) Failure to Pay Tax Through Negligence or Fraud

(1) If any part of any underpayment of any tax imposed by this act is due to negligence or intentional disregard of rules and regulations (but without intent to defraud) there shall be added to the tax an amount equal to five per centum (5%) of the underpayment

(2) If any part of any underpayment of tax required to be shown on a return is due to fraud there shall be added to the tax an amount equal to fifty per centum (50%) of the underpayment This amount shall be in lieu of any amount determined under paragraph (1)

(c) Failure to Pay Assessment

(1) If the department assesses a tax according to section four hundred forty-one (a) and the assessed amount is not paid within ten (10) days as required there shall be added to such amount five per centum (5%) thereof and in addition interest at the rate of one-half of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment

(2) If the department assesses a tax according to section four hundred forty-one (b) there shall be no addition if the understatement of tax was made in good faith Provided That the deficiency be paid or notice of an intention to file a petition for a reassessment or to appear and be heard as herein provided shall be given within thirty (30) days after notice of the assessment of such deficiency be mailed to the taxpayer If such

payment is not made within thirty (30) days and if no notice of an intention to file a petition for a reassessment or to appear and be heard is given to the department within thirty (30) days as herein provided there shall be added to the amount of the deficiency five per centum (5%) thereof and in addition interest at the rate of one-half of one per centum per month for each month or fraction thereof from the date of such notice to the date of payment

Section 472 Penalties

(a) Penalty Assessed as Tax The penalties and liabilities provided by this section shall be paid upon notice and demand by the department and shall be assessed and collerted in the same manner as taxes Except as otherwise provided any reference in this act to "tax" imposed by this act shall be deemed also to refer to the penalties and liabilities provided by this section

(b) Attempt to Evade or Defeat Tax Any person who wilfully attempts in any manner to evade or defeat the tax imposed b ythis act or the payment thereof or assists any other person to evade or defeat the tax imposed by this act the payment thereof or to receive a refund improperly shall in addition to other penalties by law be liable for a penalty equal to the total amount of the tax evaded No penalty shall be imposed under section four hundred seventy-one (b) for any offense to which this section is applicable

Section 473 Crimes

(a) Fraudulent Annual Return Any person who shall wilfully make or cause to be made the annual return required by section four hundred twenty (b) which is false and fraudulent shall be guilty of wilfull and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to all other penalties imposed by any of the preceding provisions of this act

(b) Other Crimes Except as otherwise provided by subsection (a) any person who shall wilfully fail neglect or refuse to file any return or report required by this act or any taxpayer who shall refuse to pay any tax penalty or interest imposed or provided for by this act or who shall wilfully fail to preserve his books papers and records as directed by the department or any person who shall refuse to permit the department or any of its authorized agents to examine his books records or papers or who shall knowingly make any incomplete false or fraudulent return or report or who shall do or attempt to do anything whatever to prevent the full disclosure of the amount or character of taxable sales or purchases made by himself or any other person or shall provide any person with a false statement as to the payment of tax with respect to particular tangible personal property shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) and costs of prosecution or undergo imprisonment not exceeding one (1) year or both in the discretion of the court The penalties imposed by this section shall be in addition to any penalties imposed by any provision of this act other than subsection (a)

PART VIII

ENFORCEMENT AND EXAMINATIONS

Section 480 Rules and Regulations (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing including credit certificates pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act Where necessary for the administration of this act it may require such reports from persons not subject to the tax imposed by this act as are reasonably related to such administration

(b) The department may establish by rules and regulations a procedure whereby sellers of tangible personal property may provide purchasers of such property with documentary evidence of manufacturer's sale price and/or that the tax imposed by this act has been paid with respect to such property

Section 481 Keeping of Records Every person liable for any tax imposed by this act or for the collection thereof shall keep such records render such statements make such returns and comply with such rules and regulations as the department may from time to time prescribe Whenever in the judgment of the department it is necessary it may require any person by notice served upon such person or by regulations to make such returns render such statements or keep such records as the department deems sufficient to show whether or not such person is liable for the tax under this act

Section 482 Eraminations The department or any of its authorized agents is hereby authorized to examine the books papers and records of any person licensee or taxpayer including his bank accounts or similar items in order to verify the accuracy and completeness of any return made or if no return was made to ascertain and assess the tax imposed by this act The department may require the preservation of all such books papers and records for any period deemed proper by it not to exceed however six years from the end of the calendar year to which the records relate Every such taxpayer is hereby required to give to the department or its agent the means facilities and opportunity for such examinations and investigation The department is further authorized to examine any person under oath concerning taxable sales or purchases by any taxpayer or concerning any other matter relating to the enforcement or administration of this act and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes to have knowledge of such matters The procedure for such hearings or examinations shall be the same as that provided by the Fiscal Code relating to inquisitorial powers of fiscal officers

Sestion 483 Unauthorized Disdlosure Any information gained by the department as a result of any return investigation hearing or verification required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person unlawfully divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both in the discretion of the court

Section 484 Cooperation with other governments notwithstanding the provisions of section four hundred eighty-three the department may permit the commissioner of Internal Revenue of the United States or the proper officer of any state or the authorized representative or either such officer to inspect the tax returns of any taxpayer or may furnish to such officer or his authorized representative an abstract of the return of any taxpayer or supply him with information concerning any item contained in any return or disclosed by the report of any investigation of the return of any taxpayer such permission shall be granted only if the statutes of the United States or of such other state as the case may be grant substantially similar privileges to the proper officer of the Commonwealth charged with the administration of this act

ARTICLE V

MISCELLANEOUS PROVISIONS

Section 501 Saving Clause Notwithstanding anything contained in any law to the contrary the validity of any law or any ordinance or part of law or of any ordinance or any resolution or part of any resolution and any amendments or supplements thereto now or hereafter enacted or adopted by the Commonwealth or any political subdivision thereof providing for or relating to the imposition levy or collection or any tax shall not be affected or impaired by anything contained in this act

Section 502 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this

act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section 503 Effective date The provisions of this act shall take effect on the first day of January one thousand nine hundred fifty-six

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHARLES C. SMITH. Mr. Speaker, I believe there are some other Members on this side of the House and I would yield to the other Republican Members and speak last, if it meets with your approval.

The SPEAKER. To whom does the Minority Leader yield?

Mr. CHARLES C. SMITH. I yield to the gentleman from Allegheny, Mr. Goldstein.

The SPEAKER. The gentleman from Philadelphia, the Minority Leader, yields to the gentleman from Allegheny, Mr. Goldstein.

Mr. GOLDSTEIN. Mr. Speaker, in connection with the interrogation of the Majority Leader, last evening he admitted that the production of coke would be within terms of bill 1879.

I would like to call to the attention of the House the impact of this admission. Coke is one of the necessary items used in the production of steel. Steel is the main product and the lifeline of the Commonwealth of Pennsylvania. If this item of coke has an increased cost of three and one-half per cent, the devastating influence upon our steel mills should be realized by everybody regardless of party affiliation. It means that the steel mills of western Pennsylvania, the steel mills in central Pennsylvania and the new steel mills in eastern Pennsylvania will be at a disadvantage with those companies which are operating in West Virginia, Ohio and Maryland.

This is a sad way in which to increase the economic strength of this Commonwealth, and we say to you that if you pass this bill and impose an additional cost of three and one-half per cent on the coke products used in the production of steel, you will be taking jobs away from steel workers throughout the Commonwealth of Pennsylvania.

I want to be as brief as possible, but I would like to call to your attention another industry which will be affected by bill No. 1879. I have before me a telegram from the Pittsburgh Wholesale Jewelers Association representing 34 wholesale jewelers and manufacturers. This telegram reads in part as follows:

> "We solicit your cooperation in defeating the three and one-half per cent manufacturers' tax which they consider a detriment to business in Pennsylvania in general and to the retail and manufacturing jewelers' business in particular. The law tries to make all manufacturing businesses the same regardless of product and must increase the consumer price up to ten per cent on all manufactured goods on its enactment."

In the brief time which we have had to have this legislation reviewed by people who are interested in the welfare of the Commonwealth, you must realize that when this bill is passed, if it is passed, you will receive complaints from every line of industry as to the impact not only upon the industries but upon the consumer.

The Majority Leader very, very lightly passed off the question as to who would be the individual who would eventually have to bear the burden of this particular tax. Anybody familiar with the facts of business in Pennsylvania today, or in any other state, knows that the average net profit of the business of a department store or a manufacturing establishment is less than five per cent and in most cases approximately three per cent. Industry, retail, manufacturing, or otherwise cannot bear the burden of this particular tax, it must be passed on to the consumer.

I will give you this example, if you have a three and one-half per cent manufacturing tax, when it is passed on to the wholesaler he has a mark-up of 20 per cent, and when it is passed on by the retailer to the consumer there is a markup of 40 per cent. I will say to you that when this tax is eventually paid by the consumer, by the everyday citizen of the Commonwealth of Pennsylvasia, the cost to him will be five per cent. This is a tremendous burden upon the citizens of this state, and I say to you if you want to keep industry in this state, if you want to be fair to the average taxpayer, you want to be fair to the man who has to buy clothing and shoes, defeat this tax.

Mr. STROUP. Mr. Speaker, I request the privilege of interrogating the Majority Leader for just a moment, please.

The SPEAKER. Will the Majority Leader permit himself to be further interrogated.

Mr. READINGER. I shall, Mr. Speaker.

Mr. STROUP. Mr. Speaker, may I call your attention to Article II, Section 201, subsection (b), and ask you is there any definition of the phrase "tangible personal property" in this bill?

Mr. READINGER. Mr. Speaker, I think there is no definition of tangible personal property.

Mr. STROUP. Mr. Speaker, may I ask what is your definition of tangible personal property.

Mr. READINGER. Mr. Speaker, in answer to the gentleman I would say that in the ordinary definition in the dictionary of the three words as to the meaning of tangible personal property, tangible means something you can touch, see, feel; personal means other than real estate, and property means property.

Mr. STROUP. Mr. Speaker, I thank the gentleman, and I agree with him. That, therefore, excludes what we term choses in action, is that true?

Mr. READINGER. I would say yes, Mr. Speaker.

Mr. STROUP. Mr. Speaker, under subsection (b) would a herd of cattle be tangible personal property?

Mr. READINGER. I would say yes, Mr. Speaker.

Mr. STROUP. Mr. Speaker, if I, who represent a number of dairy farmers should purchase a herd of cattle in Ohio under this section and bring them into Pennsylvania, must I pay a three and one-half per cent excise tax on that purchase?

Mr. READINGER. Mr. Speaker, I would say no, cattle is not a manufactured product.

Mr. STROUP. Mr. Speaker, then may I ask the gentleman why you do not phrase subsection (b) as follows: "Use of all manufactured tangible personal property,"

rather than just "tangible personal property," so that it might be clarified.

Mr. READINGER. Mr. Speaker, is the gentleman speaking of subsection (b)? On which page?

Mr. STROUP. Mr. Speaker, subsection (b), Article 2, Section 201. In other words, my inquiry is directed to the fact that there is no proper definition of tangible personal property in this particular section and under that particular section it could well be interpreted that a herd of cattle brought into the state would be taxable unless you use the word "manufactured," because it is no place thus defined. I grant you it is a technical question, but it could very well come up after this bill becomes law.

Mr. READINGER. Mr. Speaker, may I call to the attention of the gentleman to the fact that the entire meaning of this act all the way through relates to manufactured products and not to such things as animals, straw, hay, and other items which are not manufactured.

Mr. STROUP. Mr. Speaker, I am very sorry. I beg the gentleman's pardon. I find you now have it in the new bill and it has been corrected. I apologize for my inquiry. It is here in the new bill, the very question that I am asking, and I apologize sincerely.

Mr. READINGER. No apologies necessary.

Mr. STROUP. It is there and I was not aware of it. This is again an illustration, Mr. Speaker, of the fact that we here in the Hall of the House who try to study our bills and know what their import is, have such little opportunity to realize where it comes to us on such very short notice. I erred because of the fact that I have not had an opportunity to look at these amendments.

May I, Mr. Speaker, comment just a little bit further and very briefly upon the particular bill which is now before the House? Beyond any question in my considered but very humble opinion, and I ask the gentleman of the opposition to listen to the words I say, the entire burden of this manufacturers' excise tax is being imposed upon the general public of the state of Pennsylvania. It is not a tax upon the manufacturer at all because he will be able to relieve himself of the burden of that tax by tax deduction under his Federal income tax. It will be passed along to the average citizen. This is a much more onerous an dburdensome tax than your wage and income tax which you submitted to us, it is certainly a much more onerous and burdensome tax than the sales tax the Republican party had in the last administration, and I ask you to consider well the fact that the citizens of Pennsylvania will be paying the price, paying token to this administration in the increased cost of the goods they purchased by reason of the passage of this tax.

The SPEAKER. The Minority Leader has the floor. To whom does he yield?

Mr. CHARLES C. SMITH. I yield to the gentleman from Allegheny, Mr. Donaldson.

Mr. DONALDSON. Mr. Speaker, may I briefly interrogate the Majority Leader?

The SPEAKER. Will the Majority Leader permit himself to be further interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. DONALDSON. Mr. Speaker, I tried to get the answer to this from the gentleman before, and since I have read the bill I am not sure that he understood my question, so I am going to have to go over it again.

Mr. Speaker, as I understood it, a power company which furnishes light to customers would be exempt from the payment of this tax because they pay a tax on their gross receipts, is that correct?

Mr. READINGER. That is correct, Mr. Speaker.

Mr. DONALDSON. Mr. Speaker, if a borough, or township, or any political subdivision, of the Commonwealth had its own power plant and furnished power only to the inhabitants of that borough or township and, therefore, paid no tax on its gross receipts, would they be subject to this tax?

Mr. READINGER. Mr. Speaker, No. Electricity is not tangible personal property.

Mr. DONALDSON. Mr. Speaker, they would not be subject to the tax on the basis that electricity is not a tangible personal property?

Mr. READINGER. That is right, Mr. Speaker.

Mr. CHARLES C. SMITH. Mr. Speaker, I yield to the gentleman from Forest, Mr. Davis.

Mr. DAVIS. Mr. Speaker, I request permission to file a statement of my reasons for voting against House Bill 1879.

The SPEAKER. The Chair thanks the gentleman, and his statement will be filed with the Clerk and noted in the Journal.

REASONS FOR VOTE

Mr. DAVIS. Mr. Speaker, it so happens that these reasons are set forth in an article I have written and which will appear in my local newspaper, The Forest Press, on Thursday of this week. This article is submitted as my statement:

LEADER'S MANUFACTURERS' TAX HARD ON INDIVIDUAL

Governor Leader's manufacturers' excise tax probably will have passed the House before this is read in print. Heaven willing, and barring drastic change in the bill, I will have voted against it.

Granted that the measure, by a bulky margin, is an improvement over a wage tax—some call it an income tax. Nevertheless, a manufacturers' excise tax, and this proposed one in particular, carries features that are unfair to the people and discriminatingly burdensome to manufacturers and businessmen in this Commonwealth.

And heaping burdens upon industry means, after a certain point is reached, that new industries will pass us by, and existing industries will naturally seek greener pastures beyond our State borders. All of this, of course, means jobs; fewer jobs, if added tax burdens bring about an anemic state of industry.

But it is the unfairness with which this manufacturers' excise tax works directly upon the people themselves, which commands my greater concern. This kind of tax was quite fully discussed in our Republican House Caucus some two and a half years ago. We passed it up rather quickly, and primarily because such a tax, initially imposed at the point of manufacture, creates a psychological inclination all along the channels of distribution to the consumer, whereby each distributing handler adds just a bit more to the price.

These middlemen know that the ultimate, and pyra-

mided, price to the consumer will be blamed upon the manufacturer and the initial excise tax. Such has been the experience in the few places where this sort of tax has been used. Now this is no criticism of the ethics of the middlemen. They are in business to make a profit. The point is: a manufacturers' excise tax creates an atmosphere where a progression of price-adding gets started, and every middleman must mark up his own extra bit to keep going in a highly competitive field.

Still, the man who ultimately pays, not only the excise tax itself, but also that the jacked-up price-differential, is the consumer. He pays the tax plus an added and uncalled for straight price increase; uncalled for, because this kind of a tax, by its very nature attracts a succession of market-place mark-ups.

Yet, there are other features unfair to the people. Aside from the extra-charge burden, above this excise tax is essentially a sales tax collected at the point of manufacture. Bearing upon this point, it was my position in 1953, and it is now, that a sales tax must exempt the necessities for a man bringing up a large family while laboring under small income. Such necessities as food, clothing, shoes, drugs, some degree of exemption on car-trade-ins, and the like.

But Governor Leader's manufacturers' excise tax exempts only food, and the small salaried, large family provider will be slapped with sizeable price increases for clothing, drugs and other necessities. His budget load will be made much heavier than would be the case under a straight sales tax.

Then, there is an added burden to all taxpayers in Pennsylvania, the great cost of administering and policing a manufacturers' excise tax. Under the Ohio sales tax system of using stamps, only a relatively small force is needed for administration, practically none for enforcement.

In contrast, the Leader manufacturers' excise tax will require a large corps of auditors, snoopers and field men. Of course, these appointments will create many jobs for partisan patronage-needs of the administration in power, but the salary, office, travel and other costs involved will mean just one more inroad into the pocketbooks of individual Pennsylvanians.

Now, I understand that counsel prevails in the Senate that this excise tax is the best compromise that can be worked out with Governor Leader; that these marathon, year-long sessions of the Legislature are bad politically and that the Republicans lost too many local elections two weeks ago for Republican Senators and Representatives to continue a party to the tax stalemate in Harrisburg.

These counsels may well be the considered judgment of legislators far more seasoned and wise than I. Nevertheless, I cannot in good conscience agree or conform. It is my purpose to vote "no."

Mr. CHARLES C. SMITH. Mr. Speaker, today I congratulate the Majority Leader on the very excellent job he did answering questions.

I think now, Mr. Speaker, that it is no more than fair to congratulate your curly-headed jailer in the back, Dr. Sarraf, for keeping the Members from going out. I noticed he has been doing a very excellent job back there. He seems to have disappeared at this time—there he is.

The SPEAKER. The Chair salutes the gentleman from Allegheny, Dr. Sarraf.

Mr. CHARLES C. SMITH. The turnkey has done a very good job.

Mr. Speaker, Governor Leader has said in his releases that this is a "second-best" tax, I believe they are his words. We certainly agree with him, it is the second-best tax. We say that because we feel that it will take more than $700 million from the pockets of the people as a hidden tax to raise $500 million in revenue for the Commonwealth.

You may be a little startled by that. but nevertheless you and I know, and everybody else knows who has anything to do with an excise tax, that an excise tax is bound to pyramid. It just can't be helped, because the dealers include it in their markup. A dealer has a certain markup on an article and, if it is there as a tax, the tax is included in the markup. So therefore it will pyramid.

I say to you that a good part of that money will never reach the Revenue Department of Pennsylvania, and you know that too.

The Governor says that his three and one-half per cent tax will raise approximately $425 million. We ask, How does he know that? I think today we proved on the floor that there is no accurate figure as to what this tax will raise. The very gentlemen that are supposed to have computed this tax for the Governor admit that themselves, that it could vary anywhere between $100, $150 and $200 million either way. It is a new tax. Nobody knows what it is going to bring in. It has never been tried in this country. There never has been one state that tried it. So all that it is is guesstimates of the Governor.

We believe it will raise probably more than a half a billion dollars, which is more money than the state can ever spend. Two years from now, when the tax is in effect for a full biennium, the take will probably go into $750 million of tax money from the people of our state. and the cost to the man on the street will be more than a billion dollars. That is what you want to put into effect in thirty-six hours.

Mr. Speaker, if the caucus in the rear would keep quiet, we probably would not have to holler so loud and might get rid of this speech a lot quicker.

The SPEAKER. The Chair begs the pardon of the gentleman from Philadelphia. The Chair had failed to note the disturbance, otherwise the Chair would have relieved the gentleman of the unpleasant obligation of calling attention to the disregard of the rules of decorum to which this House is properly devoted.

Mr. CHARLES C. SMITH. I thank the Speaker.

Now that is what is going to happen and that is the type of a tax that you are putting into effect in thirty-six hours. Yesterday we told you what was going to happen.

I would like you to take House Bill 1879 and keep one thing in mind. Thirty-six hours ago House Bill 1878 was put into this House, that was the original excise tax bill. House Bill 1878 never came from Committee. It died there because there were so many mistakes in it. It had not been given enough time by the administration in their anxiety to put over a political tax bill to the Senate. So House Bill 1879 was put in, and again we said that there was not enough time for the people of Pennsyl-

vania to know, or for the Press to report to the people of Pennsylvania, what was in the bill.

What has happened? Take a look at the bill. There are thirty-five pages and there are not six pages that do not carry amendments, because the Governor was so anxious to get this bill passed. You are passing a bill today now, in less than thirty-six hours, with amendments, so that nobody knows what is taxable in it except the Majority Leader and a few other individuals in this House.

Mr. Speaker, you are rubbing it into the people of Pennsylvania like it has never been rubbed in before. I say to you that this is one of the worst disgraces in the lives of the people of Pennsylvania that we have ever had in this House. Take a look at the bill, if you think I am kidding. Take a look at it, if you think I am playing politics today with the people of Pennsylvania, and it is the man in the front office and he does not seem to care.

The permanent tax you are putting into effect today in this House—and keep that in mind, it is permanent—is going to add a half billion dollars to the cost of living every year in Pennsylvania—whether you think it or not, it is bound to do so.

A second-best tax is a good description. This is one place again where we agree with the Governor. It is certainly not as fair as a retail sales tax, which is honest and certainly does not sneak up on you and pick your pocket when you are not looking, and that is exactly what this excise tax will do. The public may not have liked the pennies they had to pay under the Republican sales tax, but they certainly knew they were paying them. It was not buried down in the price somewhere at one or two times the amount of the tax, and that is exactly what this is going to do. Nor does the retail sales tax fall on the necessities of life, as this tax will.

We predict that the cost of living will go up just about the rate of this tax, even though food will be exempt. We predict that this tax will work like a pay cut for everybody in Pennsylvania, and as a result we will be forced to pay out more for public assistance, it is only natural, and every item for which our government spends tax money is now going to cost them more under this bill.

Certainly we shall take in more money, we are perfectly willing to agree with that, but we are going to spend an awful lot more, too.

Governor Leader has asked the legislature to appropriate more money to local municipalities for streets and roads, and then he turns around and wants to take most of it away again in the form of an excise tax on everything they buy. And keep that in mind, your local municipalities are going to pay more. If you think and the Governor thinks that any manufacturer is going to absorb this tax, let me tell you folks something, think again, because every cent of it is going to be passed on and it is going to be pyramided when it is passed on.

The amount of money from this levy is going to amount to approximately seven per cent. We predict that and we shall be right, see if we are not. It is going to hit your pocketbook over the head. Every time the poor pocketbook's head is turned, somebody is going to hit it over the head with this tax, and it will not be three and one-half per cent, mark my words

The only people this tax will benefit is the legal fraternity. You could see that today, Mr. Speaker. With all the legal brains in this House, I do not believe yet that we have had two of them decide one question unanimously. It is just that complicated. The legal profession is going to have a field day in court with this bill as litigation piles up over what is taxed and how much it is going to be taxed.

Let us look at this one little item. For example, here we find that the tax is imposed on the manufacturer's sale price. Certainly, as all of us know, a lot of our people buy a lot of material and a lot of goods from mail order houses. Everything from shoes to lawnmowers. Now they will be liable for this tax, but what tax will they pay? The Majority Leader today said that if someone went out of the state and bought something from out of the state, that they, the individual who bought it, would be liable for the tax, and two breaths later he said that it would be easier to collect this tax than it was the sales tax. Well, I do not know who he thinks he is fooling. He is certainly not fooling us, and I certainly do not think that the Governor has been fooled very much because from what I can see most of the sales tax staff in the little offices over the state have been kept intact and in many cases increased. I presume, if what the Majority Leader says is true, half of the sales tax office personnel will be laid off, but that has not been the truth nor is it the truth up to this point.

When a fellow goes out of the state, what is he going to pay? What kind of a tax is he going to pay? The bill says the rate is three and one-half per cent on the manufacturer's sales price. But how do we find out what is the manufacturer's sales price? Let us be a little practical about that. No manufacturer is going to put on the article what his sales price is. You know and I know that it is a trade secret. So the Majority Leader admitted today under questioning that the individual who bought something out of state will be paying on the retail price. I believe that is right, if they catch up with the individual. Who is going to tell them what the manufactnrer's sales price is—anybody? No. Is the mail order house going to? They are like fun, you know it and I know it, because they do not have to collect the tax. Is the state going to tell them? The state will tell them if its tax collectors catch up with the individuals, that is the only way, or are they going to guess what it is? So in guessing, if they are caught, they are going to have to pay a penalty probbably, and they are probably going to have to pay that on three and one-half per cent tax. If they pay it on the price they pay the mail order house, they will be paying too much, because they pay on the retail price, according to the bill, because that is the retail price and this is the manufacturer's excise tax. I do not believe there is any doubt of that.

So what is going to be the result of this provision? I shall tell you what the result will be. There will be an invitation to wholesale evasion of this tax by the individuals who live on the borders of the state, and I cannot say I blame them. If it were an honest and above-board tax, like the retail sales tax was, there would never be any question and the rate would be a lot lower.

Why must the people be saddled with this big bill? And keep in mind, it is going to amount to about $700 million, whether you admit it or not. And all these headaches of people trying to reach a tax collector to pay ther bills! Why is it necessary to use this club, this club

of House Bill 1879, to raise the money for our schools and our hospitals? I will tell you why. One man went up and down this state last year and made a lot of phony promises, and one was, "Death to the sales tax." We all remember it.

He had his wish, he abolished the one per cent retail sales tax. Keep in mind that retail sales tax cost the people about $130 million in a twenty-four month period. Now look what he is putting in its place, an excise tax that will take from the people of Pennsylvania approximately $700 million; again let me repeat because of pyramiding, so that he can build or try to build a $500 million political machine and the greatest one that the state has ever seen. That is what this bill is going to do.

Furthermore, under the sales tax, what we paid the state as tax could be used to reduce our Federal income tax. But we will not be able to do that under this excise tax. That was admitted today also under interrogation. This will mean another potential loss to our taxpayers of $100 million, because the taxpayers cannot take any of this excise tax from their Federal income tax. Yet every little taxpayer, no matter how small he was or how large he was, was able to deduct the sales tax, the terrible, horrible sales tax. But this one he does not deduct.

While the Republican Members of this House are not going to vote for this tax, I am not sure at all that it will not become law because of the desperate plight of our schools and our hospitals as the result of the stubbornness of one man, Governor Leader.

Governor Leader, through his stubbornness and his insistent demands for a wage tax in the face of almost universal opposition, has brought our state's fiscal affairs to such a point where even a second-best tax, such as he now has proposed, seems better than the chaos that threatens our public affairs.

We cannot allow our state to go bankrupt. If the Governor holds a gun to our heads and says this is it, this is it, the Leader three and one-half per cent excise tax that is being given to the people of Pennsylvania without the people knowing what is being given to them, with the only idea of rolling it and bulldozing it to get it into the Senate, as I said before, because he knows that this House or no other House is going to be able to take the heat when the people find out what it is. They will find out. We have been telling them, and thank goodness the Press has been telling them in the short period of time it has had. When the people find out what it is and realize what the Governor has done, I think they will start realizing some of the things we have said, that the Governor is not such a nice-looking, naive, young individual. He has the brains and the mind of a boss politician and is ruling the House and now is trying to dictate to the people of Pennsylvania.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the gentleman, Mr. Hewitt, of Indiana.

Mr. CHARLES C. SMITH. Mr. Speaker, the gentleman is not in his seat at this time. If I could serve for him I would be perfectly willing to be interviewed by the gentleman from Westmoreland.

Mr. LOVETT. Mr. Speaker, may I ask the Minority Leader if the co-sponsor on Mr. Hewitt's sales tax is in the House, I don't recall his name.

Mr. CHARLES C. SMITH. I understand from some of the individuals that Mr. Hewitt sponsored the sales tax bill by himself and he had no co-sponsor.

Mr. LOVETT. Mr. Speaker, while I didn't get the information that I wished to get from the Minority Leader I will at least accept him as a substitute for Mr. Hewitt.

Mr. CHARLES C. SMITH. I hope I will be a capable substitute, Mr. Speaker.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Charles C. Smith, permit himself to be interrogated?

Mr. CHARLES C. SMITH. Only as a substitute.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if in his honest opinion of a sales tax he does not admit that when a tax is paid by the consumer eventually that the only difference between this tax and Mr. Hewitt's sales tax is the difference that there are a few more boys being in trouble with the sales tax.

Mr. CHARLES C. SMITH. Mr. Speaker, I certainly could not agree with that kind of thinking. I don't believe that you could consider a tax paid by any individual, just because it was ultimately paid by the consumer, a sales tax, as the gentleman said.

We have thousands of taxes that are ultimately paid by the consumer which are not sales taxes and in no way shape or form appear to be a sales tax. The fact that the consumer ultimately pays it does not necessarily designate it as a sales tax, in my humble opinion.

Mr. LOVETT. Mr. Speaker, may I further ask the gentleman that if he agrees that when the individual who buys the article pays the tax, that it is a sales tax?

Mr. CHARLES C. SMITH. Will the gentleman just repeat the first part of that question? That, who pays the taxes?

Mr. LOVETT. The consumer, the individual who eventually buys the article, pays the tax, is it not a sales tax?

Mr. CHARLES C. SMITH. Mr. Speaker, no, I would not say that, because a sales tax is designated strictly as a sales tax to be collected by a retailer in a designated amount, which would be over and above the retail price.

In other words the gentleman is saying that any tax paid by the consumer is a sales tax, and he is not correct in my estimation in that statement. I could be entirely wrong but I think I am right.

Mr. LOVETT. Mr. Speaker, may I say this to the gentleman that when the individual buys the article that the original tax was put on and he doesn't pay that tax until he makes that purchase. he then is paying a sales tax that has been put on somewhere along the line.

Mr. CHARLES C. SMITH. If that would be true, Mr. Speaker, could I then ask the gentleman why the Governor calls this an excise tax?

Mr. LOVETT. May I answer the gentleman by saying that I don't quarrel with the Governor of Pennsylvania. The Republican party has insisted that a sales tax is the proper tax in Pennsylvania. Now, if the Governor was smart enough to use some other words than a sales tax and tie in a few more individuals who were not bothered with the original sales tax, the manufacturers of the state of Pennsylvania and they are tied in here, and the merchants pass it on down the line, each one of them have to bother with a sales tax,—if the Governor was smart enough to put a tax in here that could fool Mr. Smith on the other side of the House that it is not a sales tax and the Governor will then sign it, I find no fault with the Governor.

Mr. CHARLES C. SMITH. Mr. Speaker, we seem to have a differential of words. Of course the gentleman's opinion whether the Governor is smart enough to do this, I don't know. I would like to say, and I don't like to say it, but I am forced to, I have heard rumors that the gentleman from Westmoreland is going to vote against the tax. If the gentleman is trying to justify his vote against this tax to get me to admit it is a sales tax, I am afraid I in all sincerity cannot do it. I don't believe it is a sales tax. I don't believe that the United States government believe it is a sales tax. Because as I just reminded you a few minutes ago, a sales tax is directly deductible from your income tax. Mr. Speaker, from all I can understand from all of the attorneys and from your own Majority Leader, this tax is not deductible from your income tax. Now there must be a difference. I can't say anymore than I have, but certainly I am not designating the difference. The governor is designating it, your own Majority Leader is designating it, and everyone else seems to be. You can't deduct this tax, you can a sales tax. You tell me the answer.

Mr. LOVETT. Mr. Speaker, thank the gentleman very kindly, and I might say to him that while he says that the individual cannot deduct this from his income tax he also admits the manufacturer can deduct it from his income tax.

Therefore, the deduction is in there some place. It is just a matter in my mind of adding a few more people in this sales tax.

One of the gentlemen who spoke a few minutes ago said that a classified income tax was a better tax than this tax is. But the same gentleman voted against the classified income tax. Now, what tax does he want the Governor to give them in Pennsylvania that he is going to vote for? What do you want? What are you asking of the Governor? You want to sit down and write the thing out for the Governor, you have insisted that the sales tax is the thing. If this isn't a sales tax all the newspapers in Pennsylvania are a little daffy. I noticed in the Philadelphia paper tonight, if you read it, Mr. Speaker, they will tell you that it is a sales tax. All the papers will tell you that. They will tell it to all you men over there. Now, what do you want? Even though I vote against this tax program, that is no reason why you fellows that have insisted upon a sales tax, should vote against it. You should vote for it.

The SPEAKER. The Chair believes parliamentary courtesy would entitle the Majority Leader to close the discussion. Are there any other Members of the House who desire to be heard?

Mr. STROUP. Mr. Speaker, I would not ask for the floor again except that the gentleman, Mr. Lovett, I believe, was commenting upon my presentation to the House. Therefore, I want to answer his question.

The tax I want is a sales tax. Mr. Lovett claims through his presentation to us, that this is a sales tax in disguise. Now, if it is a sales tax in disguise and the public is not going to know it, if that is true, then indeed it constitutes a deception upon the people of Pennsylvania because they are paying a sales tax and not an excise tax.

That is nothing new insofar as Democratic policy is concerned in this House this year.

Mr. PETROSKY, Mr. Speaker, I rise at this time to enter into a general discussion of the bill that is before us, and cover a point or two of reflections that have been bandied about in this House concerning the leadership of this administration and state government at the present time, especially in reference to this particular tax measure.

Now, we have heard the Minority Leader time and time again get up and talk about the phony promises made by our Governor. We have heard the big guns of the Republican party trained upon our Governor, I say to you, in a futile attempt and endeavor to discredit him and his administration in office.

We have heard the charge of politics being played with a tax program. Now, I want to say to the gentlemen on the other side of the House, this administration has embarked upon a program of good government. We feel that good government is good politics. That is the way that we are going to survive in this administration.

We have nothing to hide. The facts and the figures that are computed to show the estimated return in this tax have been compiled from sources that are accurate and reliable. They have been computed by people that are known throughout this Commonwealth as being persons that are irreproachable as far as character is concerned and as far as effective economy, in government is concerned. In fact, they have at all times endeavored to bring about the best possible for the welfare of the state of Pennsylvania.

Now, when the gentleman talks about phony promises I believe I know a little bit about the campaign last November, being one of the participants in that campaign. It was clearly stated then that we would weed out the discrepant and deteriorating way of government and the way it was administered in the past, because of the politics as usual that was played and the ambition of the people who didn't give one tinker's dam for the welfare of the people of Pennsylvania.

Today we have initiated a new program in government in Pennsylvania. Good government is good politics and we have a program here that we can put it into effect for the people of Pennsylvania. I want to say that even though a classified income tax was the best program that we could have possibly given to the citizens of Pennsylvania, here we have a well rounded program that is going to give the essentials that are needed for the Commonwealth of Pennsylvania in the way of the mental and health programs, the welfare program, the redevelopment of Pennsylvania, one that the people of Pennsylvania will be proud of, and this administration will take the responsibility for the tax program. I know that the people will recognize the needs of this administration as they have been written, and will show it in future elections by returning this administration to power again.

The SPEAKER. Does the Majority Leader desire to be recognized.

Mr. READINGER. I do, Mr. Speaker, unless somebody else desires to speak on this bill.

The SPEAKER. If there is any other Member who desires to address the House, the Majority Leader will yield, otherwise it is understood that the Majority Leader will close the discussion. The Majority Leader will proceed.

Mr. READINGER. Mr. Speaker, we have labored long and hard today and it is rather late. I do not intend to

apologize for taking whatever time I feel is necessary to discuss this most important tax bill, even though it is late and we might be tired, because as I said quite some time ago when we were on the subject of taxes and passed our first tax program, this is not a matter in which anybody should have to apologize to somebody else for taking up his time late at night.

Much has been said during the debate this afternoon and tonight about this particular tax bill, but very little has been said about the reason why we come to a point such as this, and why it is necessary to ask the people of Pennsylvania to pay such a substantial tax bill.

I would like to take just a minute once again to remind the membership of this House of the fact that during the last 25 years Pennsylvania has not only grown in size and population, industrial production and so forth, but has grown tremendously in its acceptance of the social responsibility to its people and particularly its children

One of the main reasons why we must wrestle with this eternal tax problem is the cost of education. Not very long along, as a matter of fact yesterday, I guess it was, we passed a Senate bill which will increase our educational costs by another $31 million.

When the Governor gave us his budget message earlier this year, he estimated he would need $52 million in new revenue over and above that expected to be raised by the then existing tax bills. Since that time there have been innumberable budget discussions between the Members of the House and the Members of the Senate concerning the matter of how much this administration should be allowed to spend for various functions of state government. After much labor and a lot of thought, and care, and research certain reductions were made, or rather were agreed on, but the fact still remains that we are going to need about $465 million of new money over and above what we were raising before. That, I say, poses a very, very difficult problem for any administration.

This is only a second-best tax program. Earlier this session the membership of this House passed what we thought was a right and equitable tax program. It was rejected summarily by the State Senate and the question was thrown right back in our laps as to how shall we raise this money. A lot of thought was given to the matter of how this should be raised, and when the decision was finally made by the administration, advanced by the administration and put into the form of this bill and presented to the Democratic Caucus of this House, the Democratic Caucus decided that this bill should be accepted as our tax bill, as our means to raising this money, and we are here tonight ready to vote for it, to accept the responsibility for it.

The Minority Leader would like to have us believe, or have you believe rather, that we Democrats are simply serfs and slaves of the Governor and we jump to his dictation and his bidding. Let me tell you that we have a lot of very strong-minded men on this side of the House and they make up their own minds. It is true the administration proposed this bill, but if the Democratic membership did not like the bill I assure you it would reject it just as you tell us you are going to reject it tonight.

So we are here, admittedly after a very short time for discussion, proposing to vote for a bill which will raise $410 million.

Mr. Smith in his discussion speaks about this bill raising $700 million. He offers no explanation of how he arrives at that figure. He states that somebody connected with the Economy League admits that our estimate might be off by $100 million. That is true, it might be. We might only get $320 million on this bill, or we might get $500 million, we just don't know. The best we can do is gather the figures that are available and tell you what they are and tell you that we expect to raise that amount of money and therefore help to balance our budget.

Furthermore, speaking of burdens of taxes, we are not only going to have to pass this tax bill, but we are going to have to pass some other ones to make up the difference between $410 million and $465 million.

I don't intend to discuss the details of this bill tonight. We have listened to that all afternoon. I might point out in passing that some of the Members of the opposition have gone as far as they possibly could to point out certain unpopular and unfortunate things about a bill of this kind.

I believe it was Mr. Tompkins who made a great point of the fact that churches will have to pay on their purchases in certain iinstances, so will hospitals, so will schools, private schools would. Of course, we expect that. Whenever you propose a bill, I guess we get up and shoot it full of holes if we can, point out all of the inequities, and what not, it is normal to expect it of you, and I certainly wasn't surprised. But I say there is no tax bill that can be written which will not be burdonsome to somebody and particularly burdensome to some.

The Minority Leader speaks about the burden of this falling on the public. One of the gentlemen on the other side spoke about it falling on the little fellow, and so forth. Let me tell you that there is no type of broad base tax, and this is a broad base tax, which isn't going to fall to some extent one the consumer. We don't expect industry to absorb $410 million in the next 16 months. We know it won't, but neither do you know that they are going to pass the whole $410 million down to the consumer.

I would like to analyze this business of pyramiding for just a moment. Under the retail sales tax the one per cent tax was a mark up on the retail price. Now the retail price must necessarily have included the cost to the manufacturer plus his profit, the cost to the wholesaler plus his profit, the cost to the retailer plus his profit, and whatever the ultimate of the price was your one per cent was added by law to that and by law passed on to the consumer. He very definitely knew that he was paying a sales tax, there is no question about it. You kept him reminded constantly of it when a merchant said I need three pennies, or I need ten cents, or I need two dollars tax. You had the courage to pass what you thought was right and we are going to pass what we think is right.

But let us analyze the method by which this tax will be computed. If a manufacturer decides he is going to pass the entire tax on, he adds the three and one-half per cent at his price. If the wholesaler because of competition decides that he was making enough profit on that item before when he received the $10 we paid for it, he can mark it up to $10 plus three and one-half, or $10.35. He can sell it to his retailer plus his markup with no more pyramiding. The retailer can say, "Well, 35 cents has been added to my cost, I will put my normal markup

on the cost, and I won't add anything more than the 35 cents and I'll be in a good competitive position." I say to you that there will be thousands and thousands of instances where the only thing that is passed on to the consumer will be the actual tax paid by the manufacturer. Of course, we can assume that somebody can pyrimid if he wants to. I think most businessmen, if they are able by competition and under competitive conditions, to make more money than they were making before, they will mark their prices higher. It is only normal to make what a person considers a reasonable profit. If a person has an excellent market, he will make more than a reasonable profit. It is the way business is transacted. I don't think anybody is in business for the sheer pleasure of making something and selling it to somebody at the lowest possible price whether he makes any money or not. That isn't the way business is conducted.

And so it goes. We could argue forever, I suppose, as to how much of this tax is going to be passed on to the consumers, but when you say a lot of it is going to be passed on, I say you are right, it will be. And who is receiving the benefit from the money that we are raising and spending by the state but the people of the state? Our children are going to the schools, we are using the parks, we or our relatives, someday might need these mental hospitals we are building and we are enlarging. We want all of these things, and we are going to pay for them. You and I will pay for them. It is a question of how it is to be done.

I don't think this tax is going to be particularly popular. I don't expect it to be. I don't think any kind of a tax would be popular, but you know and I know that the people of this state do not want any flat income tax. They rejected it once before back in 1951 through the State Senate. We should have a graduated income tax in Pennsylvania, which I think many of us on both sides would very much like to see, then we could really have a tax based on ability to pay. So we must work within the framework of our constitution and this is our solution as to how it should be done.

I don't think anybody is being kidded about whether or not the public is going to have to pay a lot or most of this tax. We Pennsylvanians are fairly honest and know what is going on and if we pay a few cents more on the completed manufactured product and it is passed on down to us we will pay it. When we needed more money for roads and highways, we imposed additional taxes on gasoline, and the people paid that. It is true that the amount of the tax specifically earmarked and the people know how much is tax, but, nevertheless, it is paid and it is paid willingly in most cases because we want the roads and we want the highways.

Mention has been made tonight about the efficiency of collection. I am not going to dwell on that subject except to say that I think this tax, just as any other tax that we might see fit to impose, will be collected as efficiently as good, honest employes of the state can do it. We will employ enough people to collect it reasonably and we do not expect to find any wholesale chiseling, and, if we do find it, we are going to prosecute. Any good government would do that. The Federal government does it and so will the state of Pennsylvania. I don't know what the cost of collecting the retail sales tax was per thousand dollars, but I do believe that the cost, the actual cost of collecting this per thousand, will be less. Not that that makes this a particularly good tax, but I do think it is certainly as collectible as a retail sales tax and that the collection will be made honestly and efficiently.

This has been called a political tax bill tonight. What the reason might have been to call it a political tax bill I wouldn't know. I don't think it is particularly pleasant for any administration to have to impose taxes. It certainly was not very pleasant back in 1935 when the Democrats were in control of this Legislature to have to pass half a dozen emergency taxes so the people wouldn't starve in the state of Pennsylvania. But the need was there and it was done. The need is here today and we are going o pass a tax program, and we hope the Senate sees fit to pass it.

We have been here now practically 11 months. The public is getting the general idea that we cannot make decisions that we do not know how to get together on any thing, but our party is willing to accept this responsibility whether it is popular or unpopular. I know a great deal of political capital will be made out of this. No matter what tax we pass there will be a lot of political capital made out of it.

You have been urging on the other side that the Governor capitulate. For a long time you have been asking why is he so stubborn, why doesn't he just take the retail sales tax, raise the percentage, take out all the exemptions except food, and say this is it. Why should he do it? He does not believe the retail sales tax is fair and equitable. He has said so many, many times and so have many Members in this House, and there is no reason why he should take that type of a tax if he thinks it is wrong. I admire him for his stand.

I will say again that he has not dictated to this Legislature on this tax bill any more than any Governor you ever had dictated. I think it is a function of the executive branch to suggest means and methods of raising money. He has done that. He has done nothing more. We are here in our capacity as legislators. We have considered this. We think it is a good bill. We think it is the best bill that is obtainable under the circumstances in view of our Constitution, and I am now asking the membership of this House to support it.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Adam,	Frascella,	McWherter,	Sarraf,
Amarando,	Gaffney,	Mehalchick,	Scarcelli,
Anderson, M. S.,	Garlock,	Mihm,	Schuster,
Anderson, S. A.,	Gelfand,	Mills,	Sherman,
Barnatovich,	Guss,	Monroe,	Smith, Wm. B.,
Bazin,	Hamilton, R. K.,	Moran,	Snider,
Boles,	Hass,	Muldowney,	Stank.
Bonner,	Heavey,	Mullen,	Stebbins,
Boory,	Holt,	Munley,	Stephens,
Branca,	Jenkins,	Murray, J. J.,	Stone,
Brennan, A. P.,	Jones, G. E.,	Musto,	Swartz,
Brennan, J. J.,	Kamyk,	Needham,	Taylor,
Breth,	Kolankiewicz,	Olsen,	Thomas,
Bucchin,	Kornick,	Pacchioli,	Toll,
Capano,	Kubacki	Pashley,	Varallo,
Cianfrani,	Lawyer,	Paulhamus,	Verona,
Cioffi,	Leiby,	Petrosky,	Wallace,
Cochran,	Leonard,	Pettigrew,	Walsh,
Comer,	Leven,	Polaski,	Wargo,

Curwood,	Limper,	Polen,	Welsh,
Dougherty,	Lopresti,	Readinger,	Wheeler,
Ellberg,	Lutty,	Reibman,	Whitenight,
Farabaugh,	Maxwell,	Reidenbach,	Williams,
Filo,	McCann,	Renwick,	Yetter,
Flint,	McCormack,	Rosen,	Yetzer,
Floyd,	McGee,	Rovansek,	Andrews,
Flynn,	McKeever,	Rudisill,	Speaker
Frank,	McLaughlin,		

NAYS—88

Agnew,	Gibson,	Kromer,	Rubin,
Ashton,	Goldstein,	Leisey,	Sigman,
Auker,	Gramlich,	Lippincott,	Smith, C. C.,
Banker,	Greenwood,	Lovett,	Steckel,
Bell,	Guthrie,	Magee,	Stevenson,
Blair,	Hamilton, W. H.,	Mahan,	Stoner,
Bower,	Haudenshield,	Markley,	Strausser,
Breisch,	Helm,	Metz,	Stroup,
Brenninger,	Henzel,	Mikula,	Thompson,
Bullen,	Hocker,	Miller,	Tompkins,
Connelly,	Horst,	Moody,	Toomey,
Davis,	Houk,	Moscrip,	Varner,
Donahue,	Isaacs,	Murphy,	Vaughan,
Donaldson,	Johnson,	Murray, H. P.,	Wall,
Down,	Jones, T. H. W.,	Murray, P. G.,	Waterhouse,
Ehrgood,	Jump,	Ogilvie,	Weidner,
Erb,	Kehler,	O'Neil,	Wescott,
Eshleman,	Keller,	Parry,	Willaredt,
Ewing,	Kent,	Pomeroy,	Wood,
Frost,	Knecht,	Price,	Worley,
George,	Kooker,	Pursley,	Young,
Gibb,	Kratz,	Rigby,	Ziegler,

NOT VOTING—12

Brown,	Hewitt,	Light,	Royer,
Cooper,	Kline,	McInroy,	Wilt,
Fineman,	Lafore,	Naugle,	
Foster,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mr. BANKER. Mr. Speaker, I would like at this time to state my reason for opposing this bill at this time.

Were I its sponsor, I would still oppose its passage this morning. I sincerely think I would be wrong in doing otherwise before the people of this state had ample opportunity to know its contents and express their desires concerning same.

I see no reason for the haste demanded by the Majority Party in its consideration. A very good example of such action was the passage of flood emergency relief bills some weeks ayo when we placed an additional one cent tax on cigarettes and gasoline which was designed to raise some 50 odd million dollars within the next 24 months. I opposed this action for the very same reason and was most happy I had taken this stand when it was disclosed a few days later that 44 million dollars had been discovered in the Motor Fund without allocation. I am sure this was not just not an accident, but must have been known at the time we were rushed into frantic action through a great "flag waving" appeal to help the unfortunate victims of the disastrous flood in our state at that time.

No, Mr. Speaker, I will not be rushed now! Had we given the people an opportunity to express themselves on the program you are asking it is possible that I might have voted differently. That would have rested with the people of Huntingdon County.

(During the calling of the roll there was a response to the name of Mr. Hewitt.)

The SPEAKER. Someone responded to the name Mr. Hewitt. Has the Clerk recorded Mr. Hewitt as being present?

The SECRETARY. Yes, Mr. Speaker.

The SPEAKER. The gentleman is not present in the Hall of the House. The Clerk will strike his name. This incident is a reproach to the integrity of this body.

The SPEAKER. The Chair lays before the House the next bill on special order fixed for this time. House Bill No. 1880 on page 38 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1880, as follows:

An Act to further amend sections twenty and twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by requiring additional reports and changing the due date of certain payments of capital stock tax and franchise tax and changing the gross receipts fraction applicable to foreign corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 606) is hereby further amended to read as follows

Section 20 That hereafter except in the case of corporations of the first class nonprofit corporations and cooperative agricultural associations not having capital stock and not conducted for profit banks savings institutions title insurance or trust companies building and loan associations and foreign insurance companies it shall be the duty of every corporation having capital stock every joint-stock association limited partnership and every company whatsoever now or hereafter organzed or incorporated by or under any laws of this Commonwealth and of every corporation joint-stock association limited partnership and company whatsoever now are hereafter incorporated or organized by or under the law of any other State or Territory of the United States or by the United States or by any foreign government and doing business in and liable to taxation within this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of any limited partnership or joint-stock association company or corporation whatsoever association or associations copartnership or copartnerships person or persons or in any other manner to make annually on or before the fifteenth day of March for the calendar year next preceding a report in writing to the Department of Revenue on a form or forms to be prescribed and furnished by it setting forth in addition to any other information required by the Department of Revenue

First The amount of its capital stock at the close of the year for which report is made together with the highest selling price per share and the average selling price thereof during said year

Second Its debt account

Third Its income account together with the disposition of any net income and its profit and loss statement

Fourth Its general balance sheet

Fifth Its real estate and tangible personal property if

any owned and permanently located outside of the Commonwealth and value of the same and the value of the property if any exempt from taxation

Sixth A valuation and appraisal in the manner hereinafter provided of the capital stock of the said corporation company joint-stock association or limited partnership at its actual value in cash as it existed at the close of the year for which the report is made

The affidavit of two of the officers of such corporation limited partnership joint-stock association or company shall be attached to said report Such affidavit shall be in the form required by the Department of Revenue but shall state in addition to any other averments required by the department that with fidelity and according to the best of their knowledge and belief the affiants have estimated valued and appraised as shown in said report the capital stock of the said corporation at its actual value in cash as it existed at the close of the year for which report is made taking into consideration first the average which said stock sold for during the year and second the price or value indicated or measured by net earnings or by the amount of profit made and either declared in dividends expended in betterments or carried into the surplus or sinking fund and third the actual value indicated or measured by consideration of the intrinsic value of its tangible property and assets and of the value of its good will and franchises and privileges as indicated by the material results of their exercise taking also into consideration the amount of its indebtedness

For the purpose of making payments on account of tax payable under this act for the taxable year one thousand nine hundred fifty-six and thereafter it shall also be the duty of every corporation liable to pay tax under this act to transmit in like form and manner an additional tentative report on or before the fifteenth day of March one thousand nine hundred fifty-six and annually thereafter which report shall set forth (a) the capital stock tax or the franchise tax estimated by the corporation to be due for the taxable year next preceding and reported to the department under the provisions of this act (b) the amount of the latest settlement or resettlement of capital stock tax or franchise tax made against the corporation for a preceding year and (c) such other information as the department may require The additional tentative report of any corporation which reports on a fiscal year basis shall be filed on the same date as the annual report for the preceding taxable year Upon the date its tentative report is required herein to be made every corporation shall pay on account of the tax due for the current year either (a) eighty per cent (80%) of the amount of the estimated tax as reported for the preceding taxable year or (b) eighty per cent (80%) of the amount of the tax last settled or resettled against the corporation for a preceding taxable year whichever amount is greater If the "preceding taxable year" is a portion of the year the eighty per cent (80%) payment on account of the current year shall be computed against such multiple of the tax estimated settled or resettled for such preceding taxable year as the entire year bears to the portion of the preceding year for which the tax was estimated settled or resettled

The remaining portion of the tax due for the current year shall be paid upon the date the corporation's annual report thereof is required herein to be made In the event that the tax paid on account with the tentative report is in excess of the amount of tax finally determined to be due the department shall grant a credit to the corporation for the amount of such excess

Interest or penalty assessed by reason of failure to file a tentative report or make a payment on account of the tax shall be assessed in the same manner as now provided by law for capital stock and franchise taxes but such interest and penalty shall be limited to an amount equal to eighty per cent (80%) of the tax liability for the current year as finally determined Any interest or penalty imposed in excess of this amount if unpaid may be stricken off or if paid may be credited to the account of the corporation

The time for filing annual reports may be extended taxpayers may be permitted to file their annual and tentative reports on a fiscal year basis the procedure in case the Department of Revenue is not satisfied with the appraisement made by the officers of the taxpayer and the penalties for failing to file reports and pay taxes shall be prescribed by law

Section 2 Section twenty-one of said act as last amended by Act No. 171 approved the twenty-seventh day of September one thousand nine hundred fifty-five (P. L. —) is hereby further amended to read as follows

Section 21 (a) That every domestic corporation other than corporations of the first class non-profit corporations and cooperative agricultural associations not having capital stock and not conducted for profit and every joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section Provided That the tax of five mills imposed by this subsection on reports filed for the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousatnd nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six or for the fiscal years beginning in the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six shall apply to the taxation of captial stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors Provided further That after said ten year period the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State excepting companies engaged in the distilling of liquors and such as enjoy and exercise the right of eminent domain but every corporation limited partnership or joint-stock association organized for the purpose of manufacturing shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to the manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business

(b) Every foreign corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a franchise tax at the rate of five mills upon a taxable value to be determined in the following manner The actual value of its whole capital stock of all kinds including common special and preferred shall be ascertained in the manner prescribed in the twentieth section of this act and shall then be divided into three equal parts

(1) Of one third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the value of the taxpayer's tangible property not actually and exclusively used in manufacturing situ-

ated within the Commonwealth and whose denominator is the value of all the taxpayer's tangible property wherever situated

(2) Of another third such poration shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the expenditures of the taxpayer for wages salaries commissions or other compensation to its employes not exclusively engaged in manufacturing in this Commonwealth and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the taxpayer for wages salaries commissions or other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business not strictly incident or appurtenant to manufacturing in this Commonwealth assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business For the purpose of this section gross receipts shall not include receipts from the sale redemption maturity or exchange of securities except those held by the taxpayer primarily for sale to customers in the ordinary course of its trade or business

The sum of the amounts determined in accordance with the foregoing three rules shall be the taxable value In a case where only two of the foregoing three rules are applicable the remaining third equal part of the value of the entire capital stock shall be divided into two equal parts each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable that part of the entire capital stock attributed to business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the taxpayers for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth

The amount of the taxpayer's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the taxpayer by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth and except rents and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a taxpayer maintain an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the Department of Revenue shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the taxpayer to the business conducted at such place of business in another state

In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the State but performed in the State the gross receipts under such contract shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contracts shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total cost incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a taxpayer for wages salaries commissions or other compensation or the gross receipts of the taxpayer are found to be situated incurred or received without the Commonwealth

Notwithstanding the foregoing provisions of this subsection (b) the franchise tax of five mills imposed by subsection (b) on reports filed for the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six and for fiscal years beginning in the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two one thousand nine hundred fifty-three one thousand nine hundred fifty-four one thousand nine hundred fifty-five and one thousand nine hundred fifty-six shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors without excluding from the numerators of the applicable fractions tangible property actually and exclusively used in manufacturing compensation of employes exclusively engaged in manufacturing and gross recipts from business strictly incident or appurtenant to manufacturing

After said ten year period the provisions of this subsection shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes

(c) It shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within the time prescribed by law Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided further That corporations limited partnerships and joint-stock associations liable to a tax under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals Provided further That the tax of five mills imposed by this section on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each calendar year thereafter or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each fiscal year thereafter shall apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering and for the processing and curing of meats their products and by products expecting companies engaged in the distilling of liquors Provided further That in case of fire and marine insurance companies the tax imposed by this section shall be at the rate of five mills upon each dollar of the actual value of the whole

capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, for the information of the Members of the House, I would like to say that House Bill 1880 accelerates the corporate capital stock tax so that during the year 1956 corporations will pay 80 per cent of their capital stock tax, rather than paying it during 1957, after March of that year, as under the present law.

The purpose of this bill is to increase the revenues in this biennium by approximately $25 million. That is going to be necessary in order to balance the budget. I would also like the Members to know that under this legislation, manufacturing corporations will not after January 1, 1957, have to pay the capital stock tax.

Many years ago a bill was passed providing that they should be exempt from this tax, but the effective date of that has been deferred, and deferred, and deferred, and I think with the passage of House Bills 1879 and 1880 we can get to the point where we can finally give our manufacturing concerns a break by removing them from the capital stock tax and thereby inducing industry to a greater extent to come to Pennsylvania and to stay here. I ask every Member to vote for this bill.

Mr. CHARLES C. SMITH. Mr. Speaker, I would like to remind the present majority that back in 1951 there was at that time an acceleration of the corporate net income tax. Tonight and many times this year we have been accused of being obstructionists. I would like to remind them, if they would care to look at the Journal, that that tax in principle, the acceleration of the corporate tax in principle, was no different than the acceleration of the capital stock tax, absolutely no different. I think I am perfectly correct in stating that.

At that time there was not one vote from the minority, and we were criticized heartily at that time by the Minority Leader and by several Members on the other side of the House that the tax was absolutely no good, it was the worst thing we could do to accelerate, we were driving industry out of the state, and it was horrible.

I think one of the statements from the Minority Leader at that time was that we were borrowing from tomorrow to pay today's debts. It was a terrible thing to do.

Mr. Speaker, I am glad to see that in two or three years you changed your minds. Today you have accepted that principle. Today it is not such a bad tax.

Mr. Speaker, although at that time you did not supply one vote, because you were obstructionists, or you were not honest in what you were saying, now it is an ideal tax. I say to you that on this side of the House we are going to be consistent, we are going to give you votes for this tax.

Mr. READINGER. Mr. Speaker, in view of the last statement made by the gentleman, I should sit down and keep my mouth shut, but I am afraid I cannot do it under the circumstances.

The gentleman wants to make the point that we said one thing at that time and something else today, and I would like to point out to the Members of this House that that "just ain't so."

Back in 1951 they were proposing and did take $60 million from the succeeding biennium in order to balance the budget. What they overlooked and what they are overlooking now is that they left the next biennium that much short. They just piled up the deficits and piled up the deficits. We are not doing that, we are proposing a tax program which will be adequate without the captial stock tax on manufacturing organizations. In spite of the fact that we are taking $25 million away from the next biennium, we still will have adequate taxes to finance this Commonwealth.

I say that was not true back in 1951 when they balanced that budget by taking $60 million out of one biennium and putting it into the other. There is a difference in the two situations despite what the gentleman wants us to believe.

Mr. CHARLES C. SMITH. Mr. Speaker, while I know it is the Majority's prerogative to speak last, I certainly could not let that statement go over.

The gentleman is entirely wrong and, if he is not wrong, he does not know this tax business because we only brought the corporate net to a current basis, as your own Speaker admits. It never caused a deficit because it was brought up from the following two years, the same as this tax is doing. There was never a deficit caused by that, it was brought up on a current basis, the way it is today on a current basis. I think the gentleman did not understand it and I know he did not deliberately make that misstatement. I just want to inform him that I could not let that go for the record.

Mr. AUKER. Mr. Speaker, here is one Member who is not going to give you votes on this particular tax measure.

I said in 1953, Mr. Speaker, against my own party, and I shall say it against the Minority party today, that this kind of deficit financing is wrong. It is poor financing and it is poor government. I shall still say it and I shall still vote that way. You are robbing the next biennium to pay this biennium's bills, and it is not good government.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—158

Adam,	Frank,	McCormack,	Rudisill,
Agnew,	Frascella,	McGee,	Sarraf,
Amarando,	Frost,	McKeever,	Scarcelli,
Anderson, M. S.,	Gaffney,	McLaughlin,	Schuster,
Anderson, S. A.,	Garlock,	McWherter,	Sherman,
Ashton,	Gelfand,	Meholchick,	Smith, C. C.,
Banker,	Gibb,	Mihm,	Smith, Wm. B.,
Barnatovich,	Gibson,	Mills,	Snider,
Bazin,	Guss,	Monroe,	Stank,
Bell,	Guthrie,	Moody,	Stebbins,
Boles,	Hamilton, W. H.,	Moran,	Steckel,
Bonner,	Hamilton, R. K.,	Muldowney,	Stephens,
Boory,	Hass,	Mullen,	Stone,
Bower,	Haudenshield,	Munley,	Strausser,
Branca,	Heavey,	Murphy,	Swartz,
Breisch,	Helm,	Murray, H. P.,	Taylor,
Brennan, A. P.,	Henzel,	Murray, J. J.,	Thomas,
Brennan, J. J.,	Holt,	Murray, P. G.,	Thompson,
Breth,	Jenkins,	Musto,	Toll,
Bucchin,	Johnson,	Needham,	Tompkins,
Bullen,	Jones, G. E.,	Olsen,	Toomey,

Capano,	Jump,	O'Neil,	Varallo,
Cianfrani,	Kamyk,	Pacchioli,	Varner,
Cioffi,	Kehler,	Parry,	Vaughan,
Cochran,	Kent,	Pashley,	Verona,
Comer,	Kolankiewicz,	Paulhamus,	Wall,
Connelly,	Kornick,	Petrosky,	Wallace,
Curwood,	Kubacki	Pettigrew,	Walsh,
Donahue,	Lawyer,	Polaski,	Wargo,
Donaldson,	Leiby,	Polen,	Weidner,
Dougherty,	Leisey,	Pomeroy,	Welsh,
Ehrgood,	Leonard,	Price,	Wheeler,
Eilberg,	Leven,	Pursley,	Whitenight,
Eshleman,	Limper,	Readinger,	Williams,
Ewing,	Lopresti,	Reibman,	Wood,
Farabaugh,	Lovett,	Reidenbach,	Yetter,
Filo,	Lutty,	Renwick,	Yetzer,
Flint,	Markley,	Rosen,	Andrews,
Floyd,	Maxwell,	Rovansek,	Speaker
Flynn,	McCann,	Rubin,	

NAYS—28

Auker,	Isaacs,	Mahan,	Stroup,
Davis,	Jones, T. H. W.,	Mikula,	Waterhouse,
Down,	Keller,	Miller,	Wescott,
Erb,	Kooker,	Moscrip,	Willaredt,
Goldstein,	Kratz,	Ogilvie,	Worley,
Gramlich,	Kromer,	Rigby,	Young,
Hocker,	Magee,	Stevenson,	Ziegler,

NOT VOTING—23

Blair,	George,	Knecht,	Naugle,
Brenninger,	Greenwood,	Lafore,	Royer,
Brown,	Hewitt,	Light,	Sigman,
Cooper,	Horst,	Lippincott,	Stoner,
Fineman,	Houk,	McInroy,	Wilt,
Foster,	Kline,	Metz,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

STATEMENT BY SPEAKER

The SPEAKER. The Chair desires first to announce that all of those now present in the Hall of the House are invited to be the guests of the Secretary of the House at a luncheon to be served upon the adjournment of this House at the cafeteria.

Second, the Chair desires to say that man and boy he has had occasion now and then to observe the proceedings of this House over a period of at least forty years. Not within our experience have we seen a House which during so many weary hours maintained such an even temper. It is to the credit of this Assembly, to the credit of our parliamentary system, that we could for some nine hours debate a bitterly contested bill in the even temper that prevailed.

The Chair wishes to commend the desk for the efficient manner in which it has served this House. You are indebted to the desk for the fact that the calendar appeared on time.

You are indebted to the staff for the fact that the two bills on special order, notwithstanding the delays, were ready for your consideration. This has been an unusual day which will live in the history of this body.

The Chair thanks the House.

The Chair will again remind the House that the adjournment resolution provided for an adjournment until next Wednesday. We will not meet on Monday. The House will adjourn to Wednesday at 4:30 p. m.

HOUSE RESOLUTION NO. 114

Mr. READINGER. Mr. Speaker, I call from page 42 of today's calendar, Resolution No. 114.

The resolution was read, considered and adopted as follows:

In the House of Representatives, September 12, 1955.

The cost of education and school construction in Pennsylvania has assumed such vast proportions that it constitutes the major element in the current budget problem

The levy and collection of taxes by local and State government does not appear to be sufficient for the ever increasing cost of education and school construction

The Federal government has tremendous tax sources which raise billions for defense of our Country and could raise billions for the education of our children and construction of school buildings.

For the first time a White House Conference on Education will convene in Washington, D. C., November 28 to December 1, 1955 for the purpose of reporting to the President on the problems facing America's educational system therefore be it

Resolved (the Senate concurring) That the General Assembly memorialize the Chairman Neil H. McElroy and the members of the Conference to consider the problem of Federal support for education and school buildings on a broad scale from the sources of Federal Revenue with a view toward reducing the cost which local and State governments are required to assume and be it further

Resolved That a certified copy of this resolution be transmitted to Mr. Neil H. McElroy with the request that it be presented to the Conference.

HOUSE RESOLUTION NO. 119

Mr. READINGER. Mr. Speaker, I call up on page 42 of today's calendar, Resolution No. 119.

The resolution was read, considered and adopted as follows:

In the House of Representatives, October 14, 1955.

Whereas there appears to be confusion and misunderstanding in various quarters concerning the merit rating status or lack of status of various state employes functioning in the various services of the Department of Health therefore be it

Resolved that a committee of five members of the House be appointed by the Speaker to make inquiry and report to the House

1 Number of Department of Health employees who are covered by the socalled merit rating formula

2 Number of Department of Health employees who had merit rating status prior to December 1 last

3 Number of Department of Health employees who have been given merit rating status since December 1 last

4 Number of Department of Health employees who have civil service status

5 Number of Department of Health employees if any who have acquired civil service status since December 1 last

6 Number of Department of Health employees who are not covered by the merit rating formula or who have not acquired civil service status

7 Formula of procedure used by advisory boards or by Department of Health executives in determining status of Department of Health employees in up-grading downgrading or discharging employees functioning in accordance with the socalled merit rating formula

8 How many Department of Health employees and in what branches of the service they are employed who have been blanketed in under merit rating without ever having taken a qualifying examination

9 And such other matters which may be brought to the attention of the committee and which should also be brought to the attentio nof the General Assembly

REPORT FROM COMMITTEE

Mr. O'NEIL from the Committee on Boroughs, reported as committed, House Bill No. 1289, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," authorizing the issuance of non-debt revenue bonds for capital improvements to certain public service facilities.

BILL INTRODUCED AND REFERRED

By Mr. TOMPKINS. HOUSE BILL No. 1906.

An Act amending the act of April 18, 1949 (P. L. 512), entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors' estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the persons of minors, the powers, duties and liabilities of sureties and of foregin fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries," making the Commonwealth ineligible to act as or nominate an administrator.

Referred to the Committee on Judiciary.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate resolution as follows:

In the Senate, November 21, 1955.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene Monday, November 28, 1955 at 3:30 o'clock p. m. EST, and when the House of Representatives adjourns this week it reconvene (Monday, November 28) Wednesday, November 30, 1955, at a time to be fixed by the House of Representatives.

DEMOCRATIC CAUCUS

Mr. READINGER. Mr. Speaker, I realize that most of the Members are down in the cafeteria eating by this time and I don't blame them. But I would like to announce now, so that the Members may read of it in the newspapers, that the session next week will be held on Wednesday, Thursday and Friday. Wednesday and Thusday, at least, will be working days. The Wednesday session will be called for 4:30 in the afternoon in order that a Democratic caucus may be held at 2:30 that afternoon.

I am urging all of the Members of this side of the House to be here as we have many, many bills to consider at that caucus.

ADJOURNMENT

Mr. ERB. Mr. Speaker, I move that this House do now adjourn until Wednesday, November 30, 1955 at 4:30 p. m.

The motion was agreed to, and (at 2:35 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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SENATE

MONDAY, November 28, 1955

The Senate met at 3:30 o'clock, P. M., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair

PRAYER

The Chaplain, Rev. ARTHUR J. PFOHL, Pastor of Zion Lutheran Church, Indiana, offered the following prayer:

Thou great eternal Spirit of the universe, in this strangely tangled time when confused voices echo throughout our land, we pray for the leadership of faith. Hear our prayer, O God, for vision and the light of truth lest we lose our way and wander in the darkness.

These men assembled here, endow them with the grace of insight, the gift of wisdom and the accent of righteousness. Speak to them, O Lord, for without vision we shall all perish.

Help us ever to make life a striving for the highest and best. Inspire us to pursue our course through the days in honor, in integrity and in justice for all.

It is that to which Thou hast called us and we would not fail Thee, O God, nor those who have put their trust in us. And so when evening comes and our work is done, we shall neither be ashamed nor discouraged. In His Name we pray, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. McCREESH, further reading was dispensed with, and the Journal was approved.

RETURNS OF SPECIAL ELECTION OF SENATOR

The PRESIDENT. A Special Election having been held on November 8, 1955, under proper authority, in the Twenty-first Senatorial District, to fill the vacancy caused by the death of the Honorable Patrick J. Toole, and the official returns having been presented to the Chair, they will be opened and read by the Chief Clerk.

In the Name and by Authority of the Commonwealth of Pennsylvania

To His Excelelncy the President of the Senate and to the Members of the Senate of the General Assembly of the Commonwealth of Pennsylvania, Greetings:

I have the honor to present the returns of the Special Election of the Member of the Senate of the General Assembly of the Commonwealth of Pennsylvania for the Twenty-first Senatorial District, as the same has been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the County Board of Elections:

WILLIAM H. DAVIS

Twenty-first Senatorial District of Pennsylvania

In Testimony Whereof, I have hereunto set my hand, at the City of Harrisburg this twenty-eighth day of November, in the year of our Lord one thousand nine hundred and fifty-five and of the Commonwealth the one hundred and eightieth.

(SEAL)

JAMES A. FINNEGAN,
Secretary of the Commonwealth.

SPECIAL ELECTION

OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvani } ss: Wilkes-Barre, Pa.
County of Luzerne } November 23, 1955

To the Secretary of the Commonwealth:

We Hereby Certify, That the following is a true and correct statement of the returns of the votes cast at the Special Election held on Tuesday, November 8, 1955, for each and every candidate in the County of Luzerne as the same remain on file in this office, for the office of Senator in the General Assembly.

REPUBLICAN

William H. Davis had Thirty six thousand four hundred and ninety three votes 36,493

DEMOCRATIC

Peter M. Margie had Thirty five thousand six hundred and two votes 35,602

In Testimony Whereof, We have hereunto set our hands and seal of office, this 23rd day of November, 1955.

ROBERT LLOYD
HERMAN C. KERSTEEN
County Board of Elections

(SEAL)

Attest:
WILLIAM J. DAVIS
Clerk

The PRESIDENT. The official returns show the election of Honorable William H. Davis, Senator in the Twenty-first District. The Chair is informed that the Senator-elect is present in the Senate Chamber and is seated to the left of the Rostrum.

SENATOR-ELECT WILLIAM H. DAVIS ESCORTED TO THE BAR OF THE SENATE

The PRESIDENT. The Chair appoints the Senator from Luzerne, Mr. Flack, and the Senator from Westmoreland, Mr. Dent, to escort the Senator-elect to the Bar of the Senate.

ADMINISTRITION OF OATH OF OFFICE

The PRESIDENT. At this time, the oath of office will be administered to Senator-elect Davis by the Honorable William H. Neely, Judge of the Court of Common Pleas of Dauphin County.

(Oath of office administered accordingly.)

The PRESIDENT. The Chair wishes to welcome the Honorable William H. Davis to this Senate and as a Member of this Body. We hope that his representation here not only brings credit to himself, but to his District and to all the people of Pennsylvania.

APPOINTMENT OF SENATOR WILLIAM H. DAVIS TO STANDING COMMITTEES OF SENATE

The PRESIDENT. The Chair wishes to announce, on behalf of the President pro tempore, the appointment of Senator Davis to the following standing committee of the Senate:

Committee on Highways, Committee on Public Health and Welfare, Committee on Reapportionment and Committee on Mines and Mining.

The President pro tempore also has assigned Seat No. 45 to Senator Davis.

RECESS

Mr. FLACK. Mr. President, I move that the Senate do now recess for five minutes in order that my colleague, Senator Davis, may meet with his well-wishers from Luzerne County and elsewhere. They will meet with Senator Davis in the conference room at the rear of the Senate Chambers.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

LEAVES OF ABSENCE

Mr. RUTH asked and obtained leave of absence for Mr. SEYLER, who is attending a National Education Conference in Washington.

Mr. DENT asked and obtained leave of absence for Mr. HAYS, for the first two days of this week, who is attending an educational conference in Washington.

STUDENTS FROM MT. GALITIZIN HIGH SCHOOL PRESENTED TO SENATE

Mr. MILLER. Mr. President and Members of the Senate, being about 250 miles from Beaver County, it is not too often that we have groups from that district present. However, today it is my pleasure to have a high school group present and I would like to present to the Senate the forty students from the Mt. Galitizin High School, where Sister Vincent Mary, the Principal is in charge.

The PRESIDENT. We are very happy to have this distinguished group from Beaver County with us today. We hope they enjoy their visit with us.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerks of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 369, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further defining the powers of courts on appeals.

Which was committed to the Committee on Law and Order,

House Bill No. 370, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further defining the powers of courts on appeals.

Which was committed to the Committee on Law and Order,

House Bill No. 407, entitled:

An Act amending the act of August 10, 1951 (P. L. 1182), entitled "Chiropractic Registration Act of 1951," extending the period for application for limited examination, clarifying certain provisions thereof, establishing further standards of educational conferences and requiring board approval thereof, providing for branch office certificates and prohibiting branch office practice without such certificate.

Which was committed to the Committee on Education.

House Bill No. 1089, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "Insurance Company Law of 1921," defining and providing for the establishment, maintenance and the amount of and use of unearned premium reserves, the release of unearned premiums, reserves for unpaid losses and loss expense and the investment of reserve funds.

Which was committed to the Committee on Insurance.

House Bill No. 1091, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "Insurance Company Law of 1921," providing for and regulating the investments of title insurance companies.

Which was committed to the Committee on Insurance.

House Bill No. 1879, entitled:

An Act to provide revenue for Commonwealth purposes by imposing a tax on the sale of certain tangible personal property and on the use storage or consumption of certain tangible personal property providing for the reporting and payment of tax payment of interest and penalties assessments collections liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers and inidviduals.

Which was committed to the Committee on Finance.

House Bill No. 1880, entitled:

An Act to further amend sections twenty and twenty-one of the act approved the first day of June one thousand

eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by requiring additional reports and changing the due date of certain payments of capital stock tax and franchise tax and changing the gross receipts fraction applicable to foreign corporations.

Which was committed to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION No. 114 REFERRED TO COMMITTEE

He also presented extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Education:

FEDERAL SUPPORT FOR EDUCATION

In the House of Representatives, September 13, 1955.

The cost of education and school construction in Pennsylvania has assumed such vast proportions that it constitutes the major element in the current budget problem.

The levy and collection of taxes by local and State government does not appear to be sufficient for the ever increasing cost of education and school construction.

The Federal government has tremendous tax sources which raise billions for defense of our Country and could raise billions for the education of our children and construction of school buildings.

For the first time, a White House Conference on Education will convene in Washington, D. C. November 28 to December 1, 1955, for the purpose of reporting to the President on the problems facing America's educational system; therefore be it

Resolved, (the Senate concurring), That the General Assembly memorialize the Chairman Neil H. McElroy, and the members of the Conference to consider the problem of Federal support for education and school buildings on a broad scale from the sources of Federal Revenue with a view toward reducing the cost which local and State governments are required to assume; and be it further

Resolved, That a certified copy of this resolution be transmitted to Mr. Neil H. McElroy with the request that it be presented to the Conference.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1630

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1630, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "Vehicle Code," regulating registration of antique motor vehicles.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1630

Mr. MAHANY. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Highways, reported as committed House Bill No. 10, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," authorizing incorporated towns to remove and impound vehicles.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 871, entitled:

An Act authorizing certain mutual insurance companies, other than life insurance companies, now in existence under the provisions of the act of May 17, 1921 (P. L. 682), its supplements and amendments, to reincorporate as mutual life insurance companies; outling the requirements and procedure; and defining the rights of dissenting members.

PERMISSION TO ADDRESS SENATE

Mr. MALLERY asked and obtained unanimous consent to address the Senate.

Mr. MALLERY. Mr. President, in cooperation with my colleague, Senator Taylor, I am about to introduce a bill which would extend free school health services to pupils in private and parochial schools. I think this is a matter that should have received attention years ago. I hope that the bill will meet with approval of all the Members of the Legislature.

BILLS INTRODUCED AND REFERRED

Messrs. MALLERY and TAYLOR read in place and presented to the Chair Senate Bill No. 878, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," extending free school health services to pupils in private and parochial schools.

Which was committed to the Committee on Education.

Mr. WHALLEY read in his place and presented to the Chair Senate Bill No. 879, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Fulton County Medical Center.

Which was committed to the Commitee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 880, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Memorial Hospital of Bedford County.

Which was committed to the Commitee on Appropriations.

Messrs. STIEFEL and CAMIEL read in place and presented to the Chair Senate Bill No. 881, entitled:

An Act declaring the public interest in certain historic sites and buildings and providing for certificates and markers.

Which was committed to the Committee on Forets and Waters, Game and Fish.

REPORTS FROM COMMITTEE

Mr. CHAPMAN. Mr. President I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed Senate Bill No. 775, entitled:

An Act making an appropriation to the Joint Committee appointed by the Senate and House of Repre-

sentatives to investigate the Pennsylvania Training School at Morganza.

He also, from the Committee on Appropriations, reported as amended House Bill No. 1834, entitled:

An Act making an appropriation to the Senate and House of Representatives of the General Assembly for the payment of salaries of officers and employees mileage of members and incidental expenses for the balance of the legislative session of 1955.

PETITIONS AND REMONSTRANCES

Mr. BARR. Mr. President and Members of the Senate, political developments since passage of the manufacturers' excise tax by the Democratic House prove convincingly that the Republican Party is the party of big business. It is the happy sanctuary of the coupon clippers.

Big business, running behind the tricky intereference of powerful lobbies, is trying to sel lthe public the strictly phony idea that the excise tax on manufacturers' sales will be pyramided to the consumer. The big industrialists —and that means the experts in huge corporate profits— are trying to make little John Doe believe he is being knocked over the head by the proposed tax and that it creates a new and dangerous threat to the pocketbook values of the average family. If we could place a tax on that kind of hot air, the administration's inherited financial problems could be solved overnight.

Actually, Mr. President, big business is afraid, by reason of the real intent of the excise measure, that it will not be able to pass along the tax to the little fellow. The mounting protest of business, crying for the consumer, is part of a cunningly conceived and well-financed campaign of misinformation to confuse and deceive the people of Pennsylvania. It is like the cry of the big, bad wolf for the plight of little Red Riding Hood. It is like the lament of the private hox holder because the little fellow has to stand in the rain.

Mr. President, I want to say for the record, here and now, that the manufacturers' excise tax was not intended to place Pennsylvania industry at a competitive disadvanage with business in other States. We have been hearing a lot fro mthe Republican side about alleged inequities of the bill, but the very alarmists who are now playing to the newspapers know as well as we do that certain amendments now under consideration provide and spell out proper safety factors which guarantee that Pennsylvania industry shall not suffer. And who is there among Republican leaders, who attended a number of tax conferences with Governor Leader, to deny that the manufacturers' excise tax was not one of those agreed upon as a possible compromise levy?

Mr. President, we Democrats are well aware that any tax has its good points and bad points. However, we also realize that we have long since passed the witching hour when our financial problems can be dissipated by the kind of political claptrap we have been hearing from the Republican wing of this Senate for the last eleven months. It should be painfully obvious to the most neutral observer that the Republican leadership of the Senate is dedicated to a course of obstructionism, which has as its goal the blocking of any tax program proposed by the Leader Administration.

Only a political demagogue, with the many strange facets of a Harve Taylor, could speak fatuously of a two per cent sales tax as a solution to Pennsylvania's financial headaches when he knows in his heart it will not begin to produce half the revenue we need to wipe out the unhealthy deficit management of our political predecessors. Obviously, in his devotion to the sales tax—which the voters decisively repudiated in 1954 and again this year—Senator Taylor is willing to give us a tax well calculated to keep us in a financial hole and make us fair game for his weird political reprisals. Senator Taylor's capacity for political foolishness is extraordinarily accented by his insistence on a sales or nothing. His idea of a compromise is to do it his way or not at all. I believe that challenges the political integrity of his colleagues who, after all, have a right to do their own thinking and in a way that will benefit the Commonwealth most. I was gratified to see a statement by Senator Diehm in which he said, "Harve Taylor is not talking for me."

Mr. President, I am sure that Senator Diehm, and other Republicans, will agree with me that this Senate was never intended to serve as the personal political instrument of Senator Taylor or any other party leader committed to the pernicious political motivations of United States Senator James Henderson Duff. I think it is common knowledge by now that Senator Duff is trying to use the Republican Senate as a political sounding board to aid his campaign for re-election next year. There is no doubt in my mind that Senator Taylor, by his sales tax hokum, is simply carrying out the dictates of Jim Duff as a means of embarrassing and hamstringing the Administration of the present Governor. Just listening to Senator Taylor communicates the numbing fear that in our approach to a solution of the State's financial compexities, we are expected to paddle upstream without a canoe.

Mr. President, I believe the time has come when Senator Taylor, and his big business cronies, must realize that we must strip all political issues from the job of finding an acceptable tax base so that we can stabilize and bring under control the tremendous financial pressures now backing us, as a State, into the jaws of bankruptcy. The need for a moratorium on political blood-letting was never more urgent. We must tackle the problem as mature men, charged with serious obligations to the people and not as docile and willing pawns of the big money interests now shedding glycerine tears for the little fellow.

Mr. President, it is time for sanity and rationalism. It is a time to consider the dangers confronting our schools, our hospitals and other State-aided institutions. It is time to face up squarely to the trust imposed in us by the people.

Mr. President, I hope that sufficient of our Republican colleagues, who cannot fail to recognize the imperiled position of our Commonwealth, will join with us in the fight to bring essential truths to light, so that at long last we can evolve a fair and acceptable tax program and support it as men of honor, concerned first and last with the welfare and security of this great State.

Since preparing this statement, Mr. President, I have had the pleasure of reading several communiques. It seems as though today is "Release Day." I am glad to see that those fellows on the Republican payroll have finally gone to work and are getting out statements. I have one

here from Senator Taylor, one from Senator Mahany and I have one from Charlie Smith.

Charlie Smith, I must say, has a poorer memory than Harve Taylor, if at all possible. He said: "Leader's recollection of what happened on August 17th, in a conference with the Democratic and Republican legislators, differs very radically from mine."

May I remind the young gentleman that he was there and I was there when we issued a joint release to the newspapers? He will not have to take my word for it, but he can go down to their files, and he will see the joint release and where it was said that the Republicans had ruled out the income tax, the Democrats had ruled out the sales tax and that we were studying all other tax opportunities for money, such as were handed to us that day in a study made by the Pennsyvania Economy League. If Charie Smith's memory is bad, have him meet me and I will take him to the newsroom, and also, if Senator Mahany's memory is bad, I will accompany him also.

Mr. MAHANY. Mr. President, I assure Senator Barr that my memory is not bad on that particular subject. Anyway, I want to say this about our conferences with the Governor. He and I, and others, did go over there shortly after the classified income tax was killed and after the Pennsylvania Economy League had submitted to us potential sources of tax revenue for the State of Pennsylvania. Among the taxes which we said we might discuss further was the Pennsylvania manufacturers' tax. However, there was no agreement made that we would accept that tax. We did not go into the details of it very much. It was just one of the many taxes which was suggested as a potential source of revenue by the Pennsylvania Economy League, which we said might be left open for discussion at a later date.

I probably could have risen here and stopped Senator Barr in his tirade and personal abuse against Senator Taylor. I think we all realize that such a thing as that is definitely out of order on the floor of the Senate. I hope that no Senator will take occasion to use the time of the Senate in making personal, abusive speech against another Senator here.

I think it was about a month ago that I rose when one of the Senators made a personal attack on Senator Taylor. The Chair, at that time, ruled I was in order in rising to the point of order, by stating that such an attack as that was certainly out of order and not in conformity with the rules of this Senate. However, I did not rise to a point of order in this case, because I just wanted to see how far Senator Barr woud go. I beieve Senator Taylor was also interested in seeing how far Senator Barr would go in his personal attack upon him. I think he certainly ran the gamut from A to izzard in this attack.

I want to compliment again, the man who is the author of Senator Barr's speech. It surely had all the hallmarks of your amanuensis. As soon as Senator Barr began his speech, we knew who had written it. Again, it was the voice of Jacob and the hand of Esau.

As far as Senator Taylor is concerned, if Senator Barr wants to call him a politician and a low-grade one, I do not think he would be very much of a politician in objecting to this tax. I think Senator Taylor has risen to the role of a statesman in opposing this manufacturers' excise tax. Up until now, all we have received so far are messages and telegrams against this tax. They not only come from industries which are fearful that by the enactment of this tax, they will have to move out of Pennsylvania, but they also come from labor union officials. I have received two or three communications from presidents of labor unions who are interested that this tax be not enacted. However, we are not shutting the door to it. We are having, and keeping, an open mind until after these hearings. We expect to receive much information from the hearings that Senator Kessler is planning for Wednesday and Thursday. After that time, I hope that the Senate Finance Committee will report the bill out, and at that time we can debate it on the floor of the Senate and let the Senators vote on this bill according to their individual consciences as to whether it is good for Pennsyvania or whether it is not.

It is not very often that I criticise Senator Taylor on being a politician, but as I started to say before, if he wanted to be the low-grade politician that the Democrats accuse him of being he would have encouraged three Senators on this side of the aisle to vote for that tax, and he would have known that it would have boomeranged and, certainy, it would have been another twenty years before the Democrats got into power.

Mr. President, one of my friends, I thought he was my friend up until I read this editorial—who is the Editor of the Oil City Blizzard, had some recent comments. He usually has a kind word or two to say about me in his paper, but he certainly tore me asunder in an editorial which appeared in his newspaper a few days ago. He said that all I was doing was resorting to low-grade politics when I said that I might vote for that bill. He said, "All Senator Mahany is thinking of is cheap politics. He knows that that sort of legislation would boomerang against the Governor and would be used politically against the Democratic Party. Why he should, for certain political reasons, say that he might vote for a bill such as that when he knows that industry in Pennsylvania would suffer is more than we can imagine." I am paraphrasing some of the editorial because I do not remember all of the harsh words that he used. I was certainly astonished to see my old friend, Ed Boyle, use such language in an editorial in his newspaper as he did against me in that particular issue.

Mr. President, I hope that we will hold our fire on both sides until we have these hearings. Then we can get the bill out, get it on the floor like we did with the classified income tax, debate it at length and then let each Senator decide how he wants to vote according to the wishes of his constituents, both people who are interested in business and people who are interested in labor, both Democrats and Republicans, and if this bill receives the proper number of votes, then our worries, temporarily anyway, will be over. If it does not receive the proper number of votes, we will just have to figure out some other source of raising the tax money that is needed by the State of Pennsylvania.

Mr. YOSKO. Mr. President, in keeping with the suggestion which Senator Mahany just made, I do not want my remarks to be construed as an attack upon the distinguished Minority Leader of the House, Charlie Smith, but I cannot help but rise today to challenge his inconsistencies, his half-truths, exaggerations and falsehoods

which were expressed on a television program last night.

I always knew Charlie Smith as a fair sort of fellow, but after hearing him last night on Joe Miller's television program, which originates out of Philadelphia at midnight, I have changed my mind.

Mr. President, Joe Miller interrogated Charlie Smith on the excise tax bill. Frankly, Charlie Smith started out by saying that House Members, including himself, were not given sufficient time to study the bill. As a matter of fact, he went so far as to say that he did not understand the terms of the bill, its implications and what it proposed to do. Then, in the next breath he said that if the bill is passed, instead of the people of Pennsylvania paying a three and one-half per cent tax they will be paying double that because of the pyramiding that Joe Barr talked about. Then he said that because of that, there is going to be a wave of requests for wage increases and that, of course, would be followed by a wave of strikes all over Pennsylvania. That is the old fear campaign.

I sort of came to the conclusion, after listening to Charlie Smith, that he joined big business in an effort to defeat the excise tax even before it had a chance to come before this Senate.

Mr. President, when Charlie Smith was asked how much money the excise tax bill would raise at three and one-half per cent, in spite of the fact, of course, that he said he did not understand the bill because he did not have time to study it, he said it would raise anywhere between $500,000,000, $600,000,000, $700,000,000 or $800,000,000 instead of the $400,000,000 which the Administration anticipated the bill would raise. He then went into the budget and he complained about the fact that we have not had a budget and tax program, although we have been in Session since January and the Governor has not reduced the budget. However, he did not tell the people, Mr. President, that public hearings were held on the budget in the House, which he had a chance to attend. He did not tell the people that public hearings were held on the budget here in the Senate and that the Republicans boycotted those budget hearings by refusing to attend them. He did not tell the peple either that, as Senator Barr told me, there were a series of meetings in the Governor's Office and that they agreed on budget cuts here and there in the various departments, boards and commissions. Then Mr. Smith went on to say that if the excise tax were enacted, it would drive business out of Pennsylvania. There is one thing that he did not tell the people and I do not think that that is true at all. I do not think business is going to be driven out of Pennsylvania because if the excise bill is passed industry, as I understand it, is going to get a break.

Mr. President, I have read the Message which was sent over here by the Governor last Monday and in it the Governor states, based on the passage of the excise bill, the following:

"It will not now be necessary to increase the rate of the corporate net income tax from five to six per cent; but the other revisions in corporate net income tax application (as proposed in House Bill 941) should be adopted.

"It will also be possible to proceed with the repeal of nine nuisance taxes on business, as recommended in the Budget Message.

"It is of real importance to repeal the corporate excise taxes on both foreign and domestic corporations. These taxes are an actual barrier imposed by the State against industrial and business growth; they impose tax penalties on the development of new businesses in Pennsylvania.

"Further, it will be possible, and I so recommend, to reinstate the historic exemption of manufacturers from the capital stock tax, effective January 1, 1957."

Mr. President, Charlie Smith did not tell the true story to the people. As I said before, it was half-truths, exaggerations, and falsehoods. Then he complained about the Department of Revenue retaining a number of investigators in the Sales Tax Bureau. He blew his story up a bit to make it appear as though the Department of Revenue was packed with a lot of drones.

Mr. President, I know that there are people engaged in the collection of delinquent sales taxes and I understand, too, that they are doing a pretty good job with it. They are employed in this capacity because under the Republican Administration, taxes which were levied were not properly collected. I understand that this bureau is going to continue until every single dollar that is due the Commonwealth is collected from the tax which was imposed by the gentlemen on the other side.

The thing that seemed strange to me, Mr. President, is that the opponents of the excise tax bill say that it is a hidden sales tax; they say it is a sales tax, but their objection to it is that they do not want business to pay it. They do not want the big guy to pay it; they want the little guy to pay it. They want the rank and file of the people, the people who earn their bread and butter by the sweat of their brow, to pay it and not the big fellow.

Mr. President, if it is a sales tax, it is a sales tax. If they are for the sales tax, then they ought to be for this bill and cut out this scare campaign which is being spread all over the State. I picked up the Philadelphia Bulletin on Sunday and what do I find there but a full page ad, with the name of every Member of the Pennsylvania Senate at the Bottom, telling the public to call us to oppose the excise tax bill. I also understand that they have resorted to getting time on the radio with spot announcements, in the various Senatorial Districts, telling the people to call on their State Senator to oppose the excise tax bill.

I do not want to debate the merits of this tax because, frankly, it is not before us yet. We will find out, I suppose, something about it when we have the public hearing. However, these tactics, in light of the condition that the Commonwealth is in, are certainly uncalled for at this time. Right now we are in default on our school payments, payments to hospitals, payments to State-aided institutions and others that depend upon subsidies from the State for existence. I do not think these tactics which are being used are good Americanism.

Mr. President, I wish Charlie Smith would have attended the budget hearings which we held here in the Senate, for then, maybe, he could have told the people somthing last night. He could have told them that because of a loose system in the Department of Revenue, the Commonwealth lost between $35,000,000 and $40,000,000 in collections from corporate taxes during the last biennium. We also lost between $80,000,000 and $100,-

000,000 in the last ten years. No wonder we are in a financial hole at this time. He did not tell the people either that the Leader Administration inherited a $75,000,000 deficit which has to be made up. He complained about the Governor increasing his budget, but he did not tell them that the Pennsylvania Economy League, which is financed by industry, recommended a reorganization of the Governor's Office and based on that recommendation, an increase in the appropriation was requested. Neither did he tell the people that just one of the bureaus which were set up in the Governor's Office has saved ten times more, just by one reorganization which was placed into effect on the purchase of automobiles. Another reorganization on insurance saved the Commonwealth more than ten times the requested increase.

Mr. President, I think that we ought to be fair about our tax proposal as it has been submitted, and let us consider it on its merits and not engage in a scare campaign or fear campaign in an effort to get the people to send up post cards, letters and telegrams to oppose it.

Mr. PECHAN. Mr. President and my colleagues in the Senate, while I was absent and hospitalized I read some newspaper reports about a tax measure which I thought perhaps would be the answer to our revenue dilemma and to the impasse that we are going through here in the Senate. I did not have an opportunity to study it, because the papers did not know too much and it was mostly rumor. In fact, the measure that I talked about on Saturday, as I understand, was printed and was dumped and was not introduced, but a new measure was prepared early on Monday and introduced in the House. I said at that time that I felt I could vote for that measure, knowing that I had a responsibility, because I am very conscious of our school needs, of our hospital needs and some increased revenues which we need in the Welfare Department, and perhaps raises that other State employes should be given; the State Police, for instance, and I felt that I could go for that measure because it sounded to me like it was a sales tax in disguise. As you all know, I have not said it once but I have said it any number of times, that I would vote for a sales tax. However, after the bill was passed in the House in a thirty-six hour jaunt I, by special delivery, received two copies of the bill and read them. I immediately, after not having studied it but reading it, realized what a disadvantage Pennsylvania industry would suffer if we were to impose this three and one-half per cent manufactures' excise tax.

Mr. President, I want to say this, that when I did say I would vote for this measure I qualified it by saying, "provided that it did not penalize Pennsylvania industry on a competitive basis."

Senator Yosko is disturbed because the Chamber of Commerce in Philadelphia has a full page ad. I did not see it until he showed it awhile ago. I do not see anything wrong with that ad. If Pennsylvania industry feels that they are being penalized and it is going to drive them out of the State, I think they have every right to go to any means, whether it is telephoning, telegrams, letters or newspaper ads to alert the Members of the Senate as to what this measure may do to them.

Mr. President, I do not know whether the president of the glass company in Connellsville—when he made an announcement, which I think most of you saw in the Pittsburgh papers, that he was going to halt expansion of a glass industry because this excise tax was going to work a hardship—had read the bill or understood the bill and I am not going into that. However, it does impress upon my mind that here was an industrialist, who employs 2,000, and he became jittery and wondered what it would do to his industry on a competitive basis.

For instance, I can take, for example, the Pittsburgh Plate Glass Company who have a plant in my community. I think they have the largest plate glass plant in the world in Ford City. I was disturbed when two years ago that same industry made an announcement that they were going to build a modern plant in Cumberland Maryland. I was more disturbed when, three or four months ago, they made an announcement that they were building a new plant in Decatur, Illinois. Now there must be some reason for it, and I can say that one of the reasons they went to Cumberland, Maryland, was because they were promised they would be tax-free, on a local basis, for ten years. Other States are also trying to lure industry out of Pennsylvania.

Mr. President, I am not here trying to fight for the industrialist or trying to save him any money. I know this, that if he does not have confidence in our government and he closed down his plants in Pennsylvania or builds new plants in other States, the man who makes his living in that plant is going to be without a job. Al Pechan can be the greatest dentist in the world, but if those people in Ford City do not have money enough to go to a dentist, do not have a job, I am not going to be fixing any teeth and the other fellow is not going to be selling groceries.

I want to take issue with Senator Yosko. I want to say this, that when the classified income tax was before us I did not receive over two letters from people who were for the tax. We were told by the press that all of the unions and all of labor was for that bill. I am in a laboring community, and I have yet to receive a letter in favor of that classified income tax, but I can show you hundreds which came from my community, from union men, who are against it. Just as much as those people were propagandizing against that measure, certainly industry is entitled to use their methods against this excise tax.

Mr. President, for instance, on Friday night the Chamber of Commerce in Kittanning called a meeting of the Chamber of Commerce of Armstrong and Butler Counties, and they invited some other people. The chairman of that group was a Democrat and he made this remark to the people there, who consisted of a couple of industrialists and many business people: "Surely, the Democratic Senators must be getting the same opposition in their areas as you are, Senator Pechan, in your own area. How can they come down here and vote for that measure?"

Mr. President, I am not saying that the Democrats are going to vote for it. I do not know what they are going to do. I do not think that we should be discussing this bill as we are today because it is not before us. I have an open mind, and I am hoping that somehow this bill can be dressed up, can be amended, so that it will not penalize Pennsylvania industry. I am very hopeful of this, and when that day comes I will vote for the bill. If after we have these hearings, somebody comes up with

an amendment which will keep this bill from penalizing Pennsylvania industry, I for one will vote for the bill.

Senator Yosko made a remark about Charlie Smith's speech in Philadelphia, which I did not hear. I want to say this to you, Senator Joe, about the sales tax employes. Mind you, the sales tax expired in September, there is no more sales tax, and in my own county we had six employes when the tax was in force and today they have eight employes. The Republicans they have replaced have been replaced by people who are getting the top salaries that those people were given. They did not start them at the lower echelon; they started them at the quitting salary, and in some cases at a higher salary than the people were getting at that time. I know that some of these employes say there is nothing for them to do. Some of them show up for a half an hour a day and yet they are drawing their salaries. I know of another fellow who has full-time employment in a manufacturing plant, and he is also a field man for the Sales Tax Bureau. Therefore, what is happening in my county may be happening in Charlie Smith's county; I do not know. However, I do hope that somehow this thing can be resolved, and that we do not do any name calling because we are not going to get anywhere if we are going to call each other names.

Mr. DENT. Mr. President and Members of the Senate, now that we have heard the apologies of the two gentlemen who spoke without permission last week, we can get down to cases.

First of all, Mr. President, I do not think that anybody who is in this room this afternoon pays much attention to the position of the Chamber of Commerce when it comes to legislation sponsored by the Democratic Party. The reason for that, Mr. President and members of this Senate, is some of us have long memories. In 1935 and 1936, I served in the House of Representatives under a Democratic Governor. From the latter part of 1936, and from that time to this, I have served in the Senate of Pennsylvania.

In 1935, they had to stop the proceedings in the House of Representatives to carry down to the well of the House millions upon millions of pieces of literature, petitions and form letters, against the Earle tax program. Spearheading that fight was the Pennsylvania Chamber of Commerce. If it were not for the fact that there are some lovely young ladies here from a high school and who have not yet reached the stage of maturity that we have reached in our lives, I would use the word that rhymes with chamber that better describes the actions and the people who represent the Chamber of Commerce. They raised in Pennsylvania, the greatest ballyhoo since the Boston Tea Party against a tax program. It was the basis of the campaign of the Republican Party, supported wholeheartedly by the Chamber of Commerce, the Manufacturer's Association, the Merchants Association and the Bankers Association. The billboards heralded all over the Commonwealth the fact that if they elected a Republican Administration, they would get rid of the so-called Earle nuisance taxes.

Mr. President and Members of this Senate, the Democrats were defeated. Governor James, of not often lamented memory, became the Governor of the Republican Party in Pennsylvania and not of the people. He immediately, with a Republican House and a Republican Senate—by virtue of skulduggery they got control of the Senate—re-enacted every kind of nuisance tax that was on the books and not one whisper or whimper of pain from the Chamber of Commerce, the Manufacturer's Association, the Bankers Association or the Merchants Association.

In 1953, the ill-fated last biennial term of Governor Fine, the Republicans instituted the move to pass a sales tax. I still have in my possession, for those of you who may doubt, the thousands upon thousands of circulars, newspaper ads, personal letters and telegrams from the Merchants Association of Pennsylvania demanding that we defeat the sales tax. Now, today, the Merchants Association is one hundred per cent behind the sales tax. If you will remember, upon this very floor, in the final debates on the sales tax, I predicted that when the merchants learned how to split the money they collected between themselves and the government, then they would be the first to come in and ask for the re-enactment of the sales tax. How true.

Mr. President, if these merchants are so happy about a sales tax, why would they have published their full page advertisement the day that the sales tax went out of existence in the Commonwealth, with scare headlines heralding to the world that now there are no sales taxes in Pennsylvania, greater savings for the people?

Let us try to analyze what is happening in Pennsylvania. I am going to make a flat and unequivocal charge this afternoon that the plot to defeat not only the income tax or the manufacturers' excise tax, or the already announced plan by the Republican spokesmen that they would never concur in the hodgepodge set of taxes, is part of a plot to keep this General Assembly in Session in order that Governor Leader's confirmations sent over here to the Senate, totaling 182 or 183, will remain in committee so that the skulduggery of the past sixteen years cannot be investigated, so that the millions of dollars that have been handed out in tax rebates cannot be uncovered, so that the many many discretions of the past sixteen years cannot be brought to light. I have advised the Governor that I, if I were he, would immediately send a Message over to the Senate and request that the names of these worthy citizens, whose only sin seems to be that they are Democrats, be recalled from the Senate and that he name those whom he can, constitutionally and legally, to temporary positions in the departments and to dismiss, as in his right, the holdovers who are hanging on because this Republican Senate has set its course to that diabolical plan.

Mr. President, when I left here last week, I thought I had the assurances of gentlemen that discussions would take place on the merits or demerits of the new proposed tax. I have heard a great deal of anguish on the part of the Republicans because they said that the House jammed this bill through in three short days, legislative days. I wonder if their memory goes back to when they killed the Governor's classified income tax within the same period of time, and then called a midnight Session in order to pat the spade upon the face of the deceased, to kill the bill twice so that under no conditions could it be revived again.

Mr. President, Senator Mahany has a favorite saying in which he says, "The voice is the voice of Jacob and the hand is the hand of Esau." I do not know, Mr. Presi-

dent, whether or not he should apply that to himself once in awhile because I have a most difficult time trying to establish between what the papers say that Senator Mahany said and what he says here on the floor. He either should have a closer liaison with his mouthpiece or get a new one. I do not know whether we have reached the stage—and I am not going to try to interpret for this Senate the good points or the bad points of the so-called proposed tax. However, I would like, Mr. President, to call your attention to a few inconsistencies as I see them.

Yes, Charlie Smith did say a few things on television last night. He said that if this tax bill passed, there would be riots, strikes. He said that motherhood would be trampled in the dirt. Dogs would howl and kittens would squeal, and the wind would blow through the empty factories of Pennsylvania and the crows would take over the belfries of the churches. I do not believe that, Mr. President. I think he left his enthusiasm for the sound of his own voice, and the notable experiment of being a guest on Joe Miller's program, go to his head.

The Philadelphia Chamber of Commerce sent me a letter, too. I think it is that thick. I might say to the Chambers of Commerce over the State that if they would advise their constituency, of which I am a member, and if they would contribute as much to State taxes as they do to the propaganda put out by the Chamber of Commerce, we would not need any new tax bill. They spend more money to defeat these bills, Mr. President, than it would cost to pay the freight. If they would just contribute a little more to government and a little less to their own vanities, and instead of trying to build up their own prestige in order to still milk the poor little innocent businessman and manufacturer on the corner in our big cities, and would pay more attention to the fact that this is a State Government faced with many problems, some of them appearing insurmountable at this time.

Here we have a great Philadelphia Merchants Association. I have often wondered why there was such a similarity between the word association and assassination, and now I know. This association assassinates the truth. "Consumers beware. The hidden State excise tax will raid your pocketbook." Now, Mr. President, that is the statement of one group of opponents.

Let us take Mr. Charlie Smith who, until he was defeated or his party lost control for the first time since he has been a Member of the House, has not learned to take a licking and has shown the smallness of a man who, in a poker game, is so accustomed to winning that when he loses, he tears up the cards. I find that Mr. Charles Smith, upon interrogation in the House, had this to say. He was interrogated as to whether or not this was a sales tax. He said, "No, Mr. Speaker, I would not say that because a sales tax is designated strictly as a sales tax, and that designated amount which would be over and above the retail price is a sale tax."

Now, if you can make any sense out of that, I would like to know what he is talking about. He also said, "That any other tax, in any other words, the gentleman is saying that any tax paid by the consumers is a sales tax. He is not collecting this in my estimation," in that statement, says Charles Smith. I do not think that is right. Many of our taxes eventually reach the consumer. Therefore, they are not sales taxes."

Now, Mr. President, that is another position taken by an opponent. Then we have the hue and the cry of the gentleman from Ford City, who is so used to looking down the mouths of his patients that he is now looking down the throat of the poor people of the Commonwealth. He says that factories will move out because they cannot pass the tax on; that it is a hardship to the Pennsylvania industries. Now, Mr. President and Members of this Senate, who are we to believe? If the manufacturer is moving because he cannot stand the tax, then the merchant has no worry because he will not have to pay the tax. If the merchant is worried and tells the consumer that he must pay the tax, then the manufacturer has nothing to worry about because he will not have to pay the tax. It is the same inconsistency that prevailed in 1935, coming out of the same mouths, from the same sources. I will predict here today that if we pass this tax, and if the Democratic Party is defeated, then the next Republican Governor will accept it and ad to it. That is the history of Pennsylvania and its revenue measures.

Yes, there are some things in this bill which need a closer inspection, just as there are in any bill that passes the House or the Senate. What cause was there, Mr. President, for a delay in the House? There was no more cause than there was for a delay in the Senate when the classified income tax came over. You had the votes; you had predetermined its destination; you were going to kill it, so you did not give us any time to argue the point. You immediately killed it and the House knew that the Republican Caucus, through their spokesmen, had said that there would not be a Republican vote for it. Then how can Charlie Smith scream that he was not given an opportunity to study the bill?

I admit, Mr. President, that I am not a bright man. I admit that I am not entirely devoid of some intelligence, too. I know, and every Member of this Senate knows, that when we left here last week, the day before Thanksgiving, ninety-nine per cent of the people in this Commonwealth believed and had every right to believe from public statements that the Republicans were going to allow us to assume all responsibility; that they were going to give us the necessary three votes to pass the necessary taxes in this Commonwealth, and that we would be blamed, if any blame were attached to it, and they would get the credit if any credit were attached to it. We do not mind that.

Mr. President, I further read in the paper after we left here— and, of course, if you want to say that the newspapermen do not know what they are writing about, that is up to you to say; I believe them. Anyway, I read in the newspapers where Senator Mahany—I do not know the word to choose; I just cannot say because he has now made a speech which confuses me—at least gave the impression that he was going to vote for the excise tax bill and there would be three votes of theirs for it. Senator Pechan called me from his sick bed, and I remember reading in the paper that he would come here if he had to come in a hearse to vote for the bill. I imagine that the only way he will ever vote for it is if he comes in a hearse. Then I picked up the paper, and I read where Senator Taylor said that they would invoke the unit rule and Senator Mahany would vote the way the Caucus told him.

Now, Mr. President, Senator Mahany stood on this floor a few minutes ago and he said, "Well, our mind is open." I am not caring about his mind. I want to know if Taylor's mind is open. I know that this Democratic Party will never get a tax bill through until Senator Taylor agrees to go along with it. If there is anything in this bill which is harmful to any of his constituency, I hope to be able to sit down and iron it out with him. We know that the newspapers do not like being taxed. They have never been taxed since the Constitution was written, so why should you start now? We believe that we can come to that agreement. We know that there are certain other elements in this State of ours that are awful disturbed over the situation, and we are willing to sit down and discuss it with them.

I have said before, and I am going to say now on the floor of this Senate, that you nor no one else will ever hold a pistol at the head of the Democratic Administration and force us into submission under a threat of blackmail.

Mr. President, if, as Senator Taylor says, the Republican Party is willing to assume the responsibility of a tax bill, then let them also assume the responsibility of the budget in this Commonwealth. However, I warn all within the hearing of my voice that we will not give up, without a fight, our program for a better mental health program in Pennsylvania. We will not give up, without a fight, a better public health program in this State. We will not give up, without a fight, Mr. President, a program of rehabilitation of the lost industries and industrial capacities of this Commonwealth during the sixteen years of Republicanism. We will not give up, without a fight, the program for greater aid to our institutions of higher learning because we have long ago learned that if we, as a Commonwealth, contribute toward our institutions, the little man, the little peoples may have an opportunity to gain a higher element of education.

Mr. President, when it costs over $2500 a year for a young man to go to one of our graduate schools, that is closing an iron door in the face of many brilliant students in this Commonwealth who do not have the finances of their own. The State of California gives free education to each and every one of its citizens on through to the highest university. The people of Pennsylvania are entitled to at least a little bit of the good things which come from government.

I visited our mental institutions and I would rather resign from this Senate than to go home without making at least an effort to alleviate the situation where 1,000 children are waiting to be taken care of in an institution for children who are mentally deficient because of birth, the accident of birth. The accident could have stricken each and every one of us or members of our family. Have you ever seen a helpless little child, twelve or fourteen years of age, without control of its facilities and faculties, groveling in a room so crowded that they cannot even move on the floor? If you ever saw such a sight, you could not stand here and tell me that you are going to vote against the tax bill because these people want you to vote against it, and let us see who they are.

The United States Steel Corporation, in the first nine months of this year, made $267,507,000 as compared to $138,175,000 for the whole year of 1954, which is an increase of 93.6% in earnings and that industry is going to move because we are putting a three and one-half per cent tax on its sale manufacture price. Do you mean to tell me that you are going to shut the door on that childs face because General Motors only made $912,000,000 this year in nine months, or an increase of 56.1% over the whole year of 1954 and 1954 was the greatest non-war year in its history? Are you going to sit here and tell me that you cannot vote for a manufacturers' excise tax because General Electric only made $141,000,000 in nine months? Are we going to stand here and say that the Union Carbide and Carbon Company cannot afford $1.36 a day for a small underdeveloped child because they only made, during these nine months, an increase of 60.7% over the whole of last year and only earned $101,000,000? On down the list of American business the picture is the same.

What else are you doing for American business in this State or American so-called industry? Today the councils of the third class cities in my county are meeting; meeting to devise a ways and means to put into their budget the twenty-five per cent of a relief on taxation that you are giving to industry in Pennsylvania today by eliminating machinery from taxation. Yet, the individual home owner puts a furnace in his home or a bathroom, and he is taxed.

I asked you to set aside the provisions of that act for at least a period of two years to see whether or not we could reach some agreement. Where do you think these councils are going to get the money? They are going to get it out of either a mercantile tax, under Act No. 481, upon the merchants or they are going to get it out of the little home owner up on the hillside. My advice to them, and I will say it publicly, was this. Take it off of their machinery and put it on their real estate. Everyone of their real estates is thousands of per cent below their cost in the real estate evaluation, and I know. I served both on council and on the county commissioners board. You build a $10,000 home and you will pay somewhere near fifty per cent of its evalution. You biuld a $7,000,000 factory and you pay somewhere near $800,000 evalution. Now you are going to further relieve them by taking the machinery out of taxation.

Mr. President, I know that this open-minded hearing that they are going to hold is just a joke. They do not expect that there will be many train loads of proponents of this tax bill who will come down and testify for it, and neither do they expect that. I have yet to witness, in all the years that I have been here, a great hue and cry on the part of anybody to place taxes upon them. Therefore, all you will hear will be the oponents of this tax and they will come sailing down in great numbers, each crying his own peculiar cry; U. S. Steel because they only made $267,000,000 and that is not near as much as Standard Oil, who only made $523,000,000 and that is not near as much as General Motors, who made $919,-000,000. These companies are going to say to you, "Now look, if you put this tax on, we will never catch General Motors." You worry about the little fellow on the street. It is like a man sitting in a covered box seat at a football game when it is snowing and cold, and he has a little electric heater. He looks out and shakes his head, so sad because the poor devils out on the bleachers are freezing. He sympathizes with them, but he does not give them the heater or let them into his box.

You are worried about the sales tax. You say that this is a hidden sales tax out of one side of your mouth, and then out of the other side of your mouth you say it is not a hidden sales tax; it is not a sales tax at all. The merchants say that they cannot stand it because they will have to pay it or it will be passed down and so the consumer is going to have to pay it out of his pocket. The manufacturer says, "No, we cannot pass it on, so we will have to pay it."

Mr. President and Members of this Senate, this is no new venture. The greatest story of all, though, was the Chamber of Commerce calling it unconstitutional. That seems to be the greatest pat phrase that was ever developed. I bet if they took the word "Constitution" away from the Republican Party, they would not have a speech left in their system.

I heard Senator Mahany decrying the fact that somebody had called a gentleman on the floor something or other, and said they had not called him names but that it was a personal attack. Maybe you ought to read the releases which your mouthpiece put out for you today. I should not say that he is your mouthpiece because you are the voice. Is it, "The voice of Jacob and the hand is the hand," or something, "of Esau?" Well, Esau just got through talking and Jacob just whispered it.

Mr. President, what is this but a personal attack upon the Governor of this Commonwealth? Somehow or other I have never been able to bring myself to the position of calling the President of the United States names or of calling a Governor when he is in office a liar.

I do not believe that Governor Leader, coming from the farm belt of this great State, reared in the rural section and in the dignity of his church teachings, has to stoop to telling a lie. I do not think that George M. Leader, this youthful, young man with a great deal to his credit, should be symbolized by the spokesman of the Republican Party as an obstinate obdurate man when he willingly, after the defeat of his tax bill, accepted the inevitable and said, "Well, gentlemen, I will sit down with you on any measure of compromise that we can reach." At that time the Republican spokesman—and I do not think that I am making a personal attack, and I apologize if I do say that Senator Taylor was the spokesman—said that the only tax he would accept was the sales tax. We tried for three months, Mr. President, to work out a solution. The Republicans came over more interested in budget-cutting at that particular time, I think, and they had worked out a great series of cuts, $5,000 from Bushy Run; $8.40 from some college and all of that and they got up to cutting out $33,000,000. Then one weak moment one afternoon in the Senate they unanimously voted to put $31,000,000 more in for school teachers. Therefore, the work went to naught.

The Governor is called obstinate and obdurate. He tried for three months. Some of you say that he was dillydallying, but he was not. I met with him, and you were invited to meet with him. Senator Taylor was invited; Charles Smith was invited. Charles thought he would pull a cute trick. He would not come to the meetings, but he would stay outside and eavesdrop. Incidentally, do you know what you get when you eavesdrop? You hear some bad things. I just happened to eavesdrop by accident this afternoon and I overheard a representative of one of the big industries in Pennsylvania here say—and he was a very good friend of mine who I use to remember quite well in the old days; I think his name was Harry Davis then and I hope it still is—something to Harve Taylor which I should not have overheard because I was not deliberately eavesdropping. He said, "Don't take no stuff from them, Harve. We're behind you one hundred per cent." I know it makes Senator Taylor feel good to know that Harry is behind him, but if you ever doubted he was behind you, Harve, I could have told you long ago he never left you.

The Governor is obstinate, they say; he is obdurate. So what does he do? He goes over a list of taxes that they said could be in the realm of compromise. Not being able to get them to a meeting, Mr. President, because, you see, you must go back to my first remarks. The scheme is not to meet and agree. The scheme is to hold us here in Session so that the men who are appointed to office cannot take their jobs. They will do what they have done in New Jersey. You know, they have never, never adjourned sine die in New Jersey because it is a Republican Legislature and a Democratic Governor. For the first time in the history of New Jersey, they have an eternal Session of the Legislature. That is what we are heading for in Pennsylvania. I think the people should know it.

The reason we passed the tax bill in three days is because we were aiming at giving you all the time you wanted to study it in order that we might be able to get out of here by Christmas Eve. So, the Governor is obstinate. How obstinate is he? He had the classified income tax. He assumed full responsibility for it. The Republican Senate defeated it and the Governor discarded it. Senator Taylor said the only tax they will accept is the sales tax. Then we suggested, and I think I suggested, that perhaps we could go to a mercantile tax. Immediately, the fur flew on the other side and before the tax bill was in, an announcement came that the Republicans would not go for that. Then, I had a little suggestion, through a friend of mine in the newspaper field—and they have one or two, although you would never know it by reading their newspaper—and it was suggested that perhaps we could have an excise tax on Federal income. Immediately, the Republicans said they would not go for that. They begin to remind you of a little baby. If you have ever had a little baby in the house and you tickled it under its feet, it just giggles and coos all over. After while, you do not have to tickle it; you just make the motion and it giggles and coos. That is what is happening to the Republican Caucus. We do not have to put the bills in. We just make the motion and immediately they are against it.

We thought, therefore, that we would give them something to sink their teeth in. They said that we had to have a bill before they would consider it. We put it in. Now, was the Governor obstinate? He put a bill in through his spokesmen in the House of Representatives. He has accepted another set of tax bills which seem to be unpopular. Senator Mahany said that if we pass them, the Democrats will not get into power for twenty more years. Well, I will tell you that we have been out so darn long that it does not matter whether we come back or not for twenty years. It does not matter to us. The election, or winning the election, is not a matter of life or death with us. We do not want to win unless we can be of service to the people. We are not interested in just win-

ning. We are interested in doing something for the people of this Commonwealth and I mean the little peoples, the ones who do not have too many spokesmen on the other side of the aisle.

And so, the Governor is obstinate? When they killed all these proposals by action in the newspapers or by direct statements, they kept saying—Senator Taylor kept saying, "I am for the sales tax, I am for the sales tax." Today, the Governor had another tax bill. Taylor said that he is still for the sales tax. Who in the dickens is stubborn in this game? Who is the one who says that he will not take anything except a sales tax? Who has been amenable to the position of the Republican Senate and has offered another tax bill?

I will say to Senator Pechan, and I will say it now and I will say it later, that if he can show me right now, since he has read the bill, where this bill hurts Pennsylvania industry in competition, I will stand up immediately after him and renounce the bill and the Governor and the Democratic Party. Get up anytime you want to, Senator Pechan, and I am ready then to renounce.

I would like to interrogate the gentleman from Armstrong, if he is willing.

The PRESIDENT. Will the gentleman from Armstrong, Senator Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. DENT. Will you point out where this bill hurst Pennsylvania industry in competition with other states?

Mr. PECHAN. Yes. Under Section a—I believe it is on page 7—you have a manufacturers' excise tax. Let us, for example, say that John Dent is going to build a $50,000,000 plant—

Mr. DENT. Let me interrupt you. If I do, it will be with your money.

Mr. PECHAN. Thank you for the compliment.

Supposing you were to build a $50,000,000 plant in Pennsylvania and I was a Pennsylvania manufacturer, and you wanted to buy your materials from me. I would charge you three and one-half per cent of an excise tax which is not deductible from your Federal income tax. On the other hand, supposing you wanted to buy $50,000,000 worth of materials from an Ohio manufacturer at the rate of three and one-half per cent. It then would become taxable under Section b, which is a use tax, and that three and one-half per cent is deductible under the provisions of the present bill. Is that not right?

Mr. DENT. The language, my dear friend, is very similar to the bill you voted for relating to the sales tax and the use tax. Would you say that your bill, for which you voted, was detrimental to Pennsylvania industry when, as you say, they could not deduct the sales tax if they sold or bought in Pennsylvania as against buying from outside the State?

Mr. PECHAN. Yes, you are talking about the 1953 sales tax?

Mr. DENT. That is right.

Mr. PECHAN. Under the 1953 sales tax, it was only at the rate of one per cent. That was deductible because it was a use tax; it was a sales tax. However, under the three and one-half per cent excise tax, it is not deductible and if you use Ohio and Pennsylvania materials, under Section b, then under that provision both of them are deductible from their income tax deductions.

Mr. DENT. Have you discussed this with a learned attorney or is it your own conception of the bill?

Mr. PECHAN. Do I need an attorney?

Mr. DENT. Well, if you want my candid opinion, I might suggest that perhaps you do not need one, but you could use one. The Attorney General does not advise the Democratic Administration that what you are saying is so.

The quarrel that industry has, in case you might want to know, is this. They would like to have us amend the bill and we will be glad to amend it for them. They would like to have us amend the bill so that the purchaser of Pennsylvania manufactured goods, to be used in industrial uses, will be able to pay the tax rather than have the seller pay the tax because by the purchaser paying it, he would get immediate deduction which would net him about fifty-two per cent of the tax being paid by the Federal Government. That amendment is for one manufacturer as against buying from another manufacturer. The only thing under consideration is to make it so that it is an optional payment of the tax either by the selling manufacturing company or by the purchasing manufacturing company. That is not only under consideration but, if and when the committee meets, I am prepared to offer that amendment at the suggestion of Pennsylvania industry.

Mr. PECHAN. Senator Dent, as I stated awhile ago, I am hopeful that something can be salvaged in this bill. We know that sometime, somehow, somewhere we are going to have to resolve this problem. Awhile ago, you made a statement—you do not mind, I hope, if I elaborate a little bit. You were talking about that twelve year old child who is mentally retarded. I have that same feeling, and I think my other twenty-six colleagues on this side of the aisle have the same feeling, toward that child as you do. It has no connection with this particular phase. We know that somehow we are going to have to raise additional revenue, because I know that we have some 8,000 of these children who have to be hospitalized and it should be done very quickly. However, that is beside the point.

Another instance where it would penalize Pennsylvania is this. Of the forty-eight States, Pennsylvania will be the first State to enact a Pennsylvania excise tax. We do know that the Federal Government does it and we know that Canada does it. The Federal Government has tariff barriers, however, to protect it from the other countries bringing in materials. Just think, however, of the enforcement problem that you would have to police other forty-seven States bringing in materials which are consumed in Pennsylvania.

I say this, I was very happy to hear you say that perhaps some amendments can be offered. Maybe this bill can be made palatable. I am rooting for you. I am hoping that it can be done. Let us wait until these hearings occur on Wednesday and Thursday. Let us wait until they are concluded, and then perhaps a meeting of the minds will come up and something can be done. I think we are talking before we know what is eventually going to happen. We know that we have a revenue problem, and I am responsible.

I feel that when I am going to vote for these appropriations, I am not going to do like you fellows did on the other side in 1949. When I first came here, and in 1951

and in 1953 when you refused to vote for revenue measures. You are giving us the devil because we do not take some of these unfair bills, as I call them. You did not go along; you voted for the appropriations but you did not vote for all revenue measures. This is going to be the last revenue measure, we hope, that will raise sufficient funds to balance our budget.

Mr. DENT. Mr. President, I thank the gentleman from Armstrong. That was quite a fine dissertation. However, I might suggest to the gentleman that I wrote on a piece of paper this afternoon certain memoranda. If he wishes, I would send a copy, sealed, to his office and then after the vote is taken on this bill, I would like to have him open it. We then will see how open-minded and open-hearted he is.

I am sure, Mr. President, that there are no difficulties that cannot be ironed out if we had the so-called open minds. Do we have open minds when a positive position is taken that this bill cannot pass, that it will not pass, when the leader of the Senate says so? I have known this much about Harve Taylor in the years that I have been associated with him; I have known that when he has told me something that the Republican Caucus was going to do at the present or in the future, he never lied to me. He always knew what they were going to do. If he says the bill is not going to pass, I will say that then the bill will not pass.

I respect Senator Pechan for his feelings of charity toward those in need. I hope that maybe between now and then he might be excused from the Juggernaut of the unit rule and give us a vote on the bill.

Mr. PECHAN. Mr. President, I want to say this and I hoped that I would be able to get it in before Senator Dent said his last phrase. Senator Dent was talking about Senator Taylor. If I recall the statement correctly, I want Senator Dent to know that I have not discussed this bill personally with Senator Taylor. If he will read the statement that Senator Taylor made, I think he said that he, personally,—he was talking about himself, personally.

We, on this side of the aisle, love Senator Taylor. He is our "pop-pop." However, Senator Taylor does not tell Al Pechan, nor do I think he tells Rowland Mahany, Senator Wagner or any of the other twenty-seven Senators how to vote. I know Senator Taylor does not say that if we do not vote his way, he will invoke the unit rule and kick us out of the Caucus. I have never heard it.

Mr. DENT. Thank you. That is very nice of you, and I do not think there are any ill feelings on my part toward Senator Taylor. I respect him for having such an absolute control. I think it is a wonderful thing that a man in his twilight years of this great life can still control, because of his position, the destinies of the Republican Party. I know that he feels awful bad that they have a Chairman who is not quite up to par, in so far as his own ability is concerned, to weld his party together and that they run off into all kinds of corners. Every army needs a leader and I am happy to know that he is the "Pop-pop" of all of the Republican Senators, because now I know why you have such great allegiance for him. Out home, when we used to disobey my Pop-pop, we got one swift kick where it hurts. If Senator Taylor is your "Pop-pop," then you have a right to obey him. However, you should tell your people who your "Pop-pop" is when you run for office.

I do not think the gentleman from Armstrong, Senator Pechan, and I will get anywhere, Mr. President, because of the simple fact—and it is a very simple fact—that if Senator Pechan will go further and if he tonight will sit down and write me a memorandum on the point in this bill which he feels are controversial, to the extent that they are injurious to Pennsylvania's industry, I will be your personal messenger to the House of Representative leadership, to the Governor of the Commonwealth and implore him to take out of the bill the bad things which you have found in it.

Mr. PECHAN. Mr. President, I do not think there is any secret about my feeling on the amendments. I will be very happy to let you have them. I will be very happy to let you look them over and do with them what you like.

Mr. DENT. Mr. President, tomorrow morning I am going down to do a little job for one of the committees I am on, and I will be back here about noon. If you will write them out for me, I will be glad to take them right over and if you want to go, I will take you over with me and we will go see the Governor and you tell him what is wrong with this bill. That is all he wants from you. He just does not want everybody to say, "No, no, no." He wants you to tell him what is wrong with the bill.

Mr. PECHAN. I think we will tell him what is wrong with the bill. If there is more wrong with it than we presently know, after these hearings, we will let him know. Give us a chance. I think you were wise awhile ago when you said that you passed the bill in the House so quickly in order that we would have more time to study it over here. Now give us that time. Do not push me.

Mr. DENT. Thank you. I am not pushing you; you are pushing yourself. You announced that you were for it and then you discovered that you were against it and you must have had reasons. If you have to wait for the hearings to find your reasons, then someone along the line has done some pushing other than me.

Mr. PECHAN. I will be very happy at noon to give them to you, Senator Dent.

Mr. DENT. I will allow you, too, to get some help from the former budget director of the Commonwealth. I will allow you, and this is without any personal feeling, to even call my old colleague, Johnny Walker, and he can put some phrases in which will not be quite intelligible but they will be there. Johnny, I do not mean it that way; you were always intelligible. However, his phrases will not be pertinent to the facts. Then, Mr. Pechan, if you want, you can even have the understudy of George Pennington, your new publicity man, write it out for you so that he will be able to understand it, because we are getting to where we cannot understand your releases and speeches over there unless they are cloaked in the language of an outsider.

Mr. PECHAN. Any speeches that I make, I make myself.

Mr. DENT. I know that.

Mr. PECHAN. In fact, the material which I am willing to give you I just had sent down from my office and all we need to do is have my secretary give you a carbon copy. I have it right here at my desk.

Mr. DENT. I will be glad to accept it now and you can have the carbon copy.

Mr. PECHAN. I want to say this to you, Senator Dent,

that this is just one phase of the bill. I have not gone through all of the thirty-five pages. It will probably need additional amendments.

Mr. DENT. Mr. President, I do not think that the Senator is trying to fluff this thing off as a matter of minor importance. I think he fully realizes the seriousness of the situation which confronts us. I have often said that if we are not permitted to rule, then we ought to let the Majority Senators rule. However, I am not the Governor of the Commonwealth.

Years ago, in many negotiations that I sat in on, I discovered that when one side refused to budge or give, there was a strike. A disruption of activities is inevitable when one side refuses to budge from a position. If the Republican Party in this State, and I say this with a great deal of regard for many members of the Republican Party whom have learned to know over the years, takes the position that they will not, under any conditions, accept anything but a sales tax, then they ought to take that position forthright. I do not think that we ought to waste the time of this Senate and the moneys of the peoples of the Commonwealth. Every day that you hesitate in passing this bill, we are running $1,000,000 shorter in our budget. If we had the full twenty-four months, we could probably reach an agreement much easier. Those of you who are preaching delay on the other side should take into consideration that every day that you delay makes us $1,000,000 shorter of the goal that we need. If you stay until January the 1st, it just means that we will be short some $30,000,000 If you stay until February, remember that in January, and in the latter part of this month, you have some weeks that it will be impossible to work. You will have the Holy Week of Christmas, when most men would like to be near their homesteads. Then you will have the week between Christmas and New Year when, I doubt, if you can get a majority of the Members of either house down. Then you will have a week probably with some freedom of action, and following that the Farm Show week.

Therefore, you can see that unless we act, and act with determination and dispatch, instead of three and one-half per cent you ought to go to four or higher. Instead of the four per cent sales tax to take its place, you will have to go to five or higher.

So, Mr. President and Members of this Senate, I plead with you to expedite your action on the bill one way or the other. If you defeat it, we will condemn you politically but there is nothing personal in it. If that is all you feel about it as a body, go ahead and defeat it, but do it now so that we can start again with another attack. I am sure that if you do that, we can still be out of here by Christmas week. There is nothing to hold us in Session whatsoever. There is nothing to hold us but our own stubborness and inability to reconcile our differences.

Mr. MALLERY. Mr. President, I believe about two weeks ago our colleague, Senator Silvert, introduced a bill, the ostensible purpose, as I heard it read, would be to save the purchasers of cigarettes and enable the purchaser to deduct from his Federal income taxes the Pennsylvania tax which he would pay on the purchase of cigarettes. I have not heard it discussed but I see nothing wrong with that bill except that I cannot imagine it would save any cigarette smoker very much money. However, pennies mount up to dollars I presume and, therefore, I can see nothing wrong with that bill.

I have not had the opportunity to read the proposed excise tax bill except very hurriedly, but I can visualize a young couple, who want to provide a home, spending possibly anywhere from $10,000 up. If I understand it correctly, none of the tax would be deductible. Yet, under the excise tax, the ultimate consumer is the one who has to pay not only the cost of the product, but the tax included.

Mr. President, I have heard the manufacturer berated, the one who is engaged in the business of producing, and yet I believe that he is the party that would be able to take the deduction. I do not know, but I have been told by people who are versed in such matters more so than I am that it is the party who pays the tax, and only the party who pays the tax can take a deduction in making up his Federal income tax. I throw that out for study.

I also thought it well to suggest that if the Members of the Senate have ideas to improve the bill, they should release those ideas to us and to the public as soon as possible so that they can be discussed at the hearing.

Mr. DENT. Mr. President, I appreciate the remarks of the gentleman from Blair and I am to take from that, or I hope I can read in that, the promise that if we meet the objections of the Senator and if we remove what may be termed inequities, he might have an open mind as to the ultimate vote on the bill.

I might remind him also that it was his party that passed the real estate transfer tax, and that $10,000 home you talked about now has a transfer tax in my township of two per cent; one for the township and one for the State. You did not make any provision for him to deduct that from his personel income tax.

Mr. SILVERT. Mr. President, Senator Mallery referred to the bill I introduced last week, which would make the cigarette tax a tax on the consumer and thus give the consumer the opportunity to deduct these taxes from his return on the Federal income tax. He makes that comparison with the present bill.

Let me say to Senator Mallery that there is still an opportunity for a saving to the consumer in this way. Assuming that a manufacturer, let us say does—I will not take the big ones—$100,000 worth of business. Of course, the cost to him is $100,000, his merchandise, and he pays a three and one-half per cent tax on that or $3500. Now, in selling that merchandise, if he has a conscience at all, he should pass part of that $3500 tax or whatever it saves him on his income tax—let us assume that it is fifty per cent or $1750—on to the consumer in his price.

Mr. MALLERY. Mr. President, I just listened to the remarks of my colleague, Senator Silvert, and he suggests that the Pennsylvania manufacturers should assume that tax instead of passing it on to the consumer. Right away you are putting that manufacturer in stiff competition with the manufacturer in any other State who would manufacture the same product.

If I understand this bill correctly, the only deduction that a consumer in Pennsylvania could deduct would be merchandise which he, himself, bought and paid for from outside of the State of Pennsylvania.

PERMISSION TO ADDRESS SENATE

Mr. SCHMIDT asked and obtained unanimous consent to address the Senate.

Mr. SCHMIDT. Mr. President, it is my sad duty to present a resolution on behalf of all of the Senators from Allegheny County.

Mr. President, our dear Congresswoman from Allegheny, Vera Buchanan, passed away this past week end and in respect to her memory, we offer the following resolution.

SENATE RESOLUTION

CONDOLENCE OF THE SENATE EXTENDED TO THE DAUGHTERS AND BROTHERS OF THE LATE MRS. VERA BUCHANAN

Messrs. SCHMIDT, BARR, HOLLAND, McGINNIS, KOPRIVER, JR. and FLEMING offered the following resolution which was twice read, considered and agreed to:

In the Senate, November 28, 1955.

Mrs. Vera Daerr Buchanan, Democratic Congresswoman from McKeesport who succeeded her husband in Congress four years ago, died Saturday November 26, 1955, at 11:40 A. M. in McKeesport Hospital where she had been a patient since August.

Death was attributed to a lung cancer discovered last June when she was hospitalized for treatment of lobar pneumonia.

Her death marked the first time it was known both a husband and wife have died while serving in Congress.

Mrs. Buchanan became Allegheny County's first Congresswoman—as a Democrat—when she won a special election in July 1951, to fill the vacancy caused by death from cancer of her husband, Frank Buchanan, one time school teacher and mayor of McKeesport. She has served continuously since that time.

Mrs. Buchanan established herself early in her career in Congress as one of the most conscientious representatives on Capitol Hill.

She worked hard for the things her district needed, including the Turtle Creek Flood Control project. She was particularly interested in housing legislation because her late husband had been a leader in writing the earlier bills. She finally was transferred to the House Banking and Currency Committee which handles housing legislation.

Only September 1, she learned her work for flood control had paid off. Army engineers disclosed a survey of the Turtle Creek Valley is under way. The Army Engineering Corps has allotted $30,000 to the survey for this year, with a similar amount expected for the second year.

Surviving her are twin daughters, Mrs. William A. Cavalcante and Mrs. John E. Thomas, Jr.; therefore be it

Resolved, That the members of this Senate of Pennsylvania hereby extend their individual and heartfelt sympathy to the daughters and brothers of the late Mrs. Vera Buchanan in their hour of loss, and bid them take solace in the knowledge that their loved one has fulfilled her destiny and has left a record of great accomplishment and good work; and be it further

Resolved, That copies of this resolution be sent to Mrs. William A. Cavalcante, 299 Bost Drive, Livingston Manor, West Mifflin, and Mrs. John E. Thomas, Jr., 2081 Constitution Boulevard, Greenock Heights.

SENATE CONCURRENT RESOLUTION

RECALLING SENATE BILL No. 218 FROM THE GOVERNOR

Mr. LANE, on behalf of Mr. HALUSKA, offered the following resolution which was twice read, considered and agreed to:

In the Senate, November 28, 1955.

Resolved (if the House of Representatives concur), That Senate Bill No. 218, Printer's No. 63, entitled "An act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled as amended 'An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties' by providing for the method of valuation of taxable shares of stock in any regulated investment company," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO THE UNIVERSITY OF PITTSBURGH, ITS ATHLETIC DEPARTMENT AND ITS FOOTBALL TEAM UPON THEIR FINE FOOTBALL RECORD

Messrs. PECHAN, DENT, FLEMING, KOPRIVER, JR., MILLER, BARR, SCHMIDT and MAHANY offered the following resolution which was twice read, considered and agreed to:

In the Senate, November 28, 1955.

The great football team representing the University of Pittsburgh, popularly known as the Pitt Panthers, have compiled an enviable record this season in winning seven out of ten games played in a schedule which was one of the hardest encountered by any college football team in the country.

As a result of their fine record, not only in the number of victories attained, but in their good sportsmanship, team spirit and exemplary demeanor, the Pitt Panthers were chosen to oppose Georgia Tech in the Sugar Bowl game, to be played on January 2, 1956, in New Orleans.

The fine athletic director of the University of Pittsburgh, Mr. Tom Hamilton, and the great coach of the football team, Mr. John Michelosen, have accomplished much this past season in turning out a football team composed of young men whose fine competitive spirit and athletic accomplishments represent young America at its best; therefore be it

Resolved, That this Senate of Pennsylvania extends its sincere congratulations to the University of Pittsburgh, its athletic department, and particularly its football team for their fine record in the highly competitive game of football, and for bringing honor to themselves and to the entire Commonwealth of Pennsylvania in being chosen to play in a great intersectional game; and be it further

Resolved, That a copy of this resolution be forwarded to the Athletic Department of the University of Pittsburgh, at Pittsburgh, Pennsylvania.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 457, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further providing for appropriations by such cities to official police pension funds.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 457

Mr. PECHAN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 457.

Mr. PECHAN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 457.

Mr. VAN SANT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 785, entitled:

An Act to provide for the ordinary expenses of the Department of Public Instruction for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five and making appropriations to the Department of Public Instruction for reimbursements to school districts.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 785

Mr. PECHAN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 785.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that the following bills, on final passage, go over in their order:

Senate Bill No. 38, Printer's No. 208; and Senate Bill No. 657, Printer's No. 278.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, at the request of Senator Miller, I ask unanimous consent that House Bill No. 8, Printer's No. 1130, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHMIDT. Mr. President, I ask unanimous consent that House Bill No. 114, Printer's No. 1131, on second reading go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 171, entitled:

An Act amending the act of July 7, 1879 (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act," enlarging the jurisdiction of aldermen magistrates and justices of the peace.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 257. entitled:

An Act validating the action of any school board which has heretofore employed any teacher who was related to a member of the board without strictly complying with the law relating to such employment and relieving the members of the board from all liability.

And said bill having read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 318, Printer's No. 340, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 410, entitled:

An Act relating to the satisfaction of mortgages in cities and counties of the first class by the recording of a satisfaction piece prescribing forms therefor and fixing the fees thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 445, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" further regulating passing school buses and eliminating school bus stop signs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 480, entitled:

An Act amending the act of May 25, 1951 (P. L. 415) entitled "An act relating to habeas corpus . . ." extending jurisdiction as to habeas corpus to courts of quarter sessions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 572, entitled:

An Act authorizing the Pennsylvania Liquor Control Board to issue special temporary permits for the retail sale of malt or brewed beverages at baseball parks under certain circumstances

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. VAN SANT offered the following amendment:

Amend Sec. 1, Page 2, line 1 by inserting after the word "beverages": "in paper containers."

It was agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth, sixth and seventh sections and title were read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 582, entitled:

An Act amending the act of August 19 1953 (P. L. 1104) entitled "An act relating to the acknowledgement of instruments the attestation of documents . . ." extending affidavit provisions to include the spouse of a member of the armed forces

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 600, entitled:

An Act amending the act of April 12 1951 (P. L. 90) entitled "Liquor Code" permitting sales on credit of liquor malt or brewed beverages by railroad or pullman companies in dining club or buffet cars to passengers for consumption while enroute holding authorized credit cards issued by railroad or railroad credit bureaus

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 662, entitled:

An Act amending the act of May 5 1933 (P. L. 289) entitled "Nonprofit Corporation Law" empowering nonprofit corporations to transfer their property and assets in trust

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 670, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "The Administrative Code of 1929" revising and expanding the state mental health program providing for the appointment of a Deputy to be known as Commissioner of Mental Health and creating an advisory council on mental health in the Department of Welfare prescribing their powers and duties and changing the powers and duties of the boards of trustees of the several State mental institutions and juvenile delinquent institutions and the terms of members of boards of trustees of certain State institutions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 686, entitled:

An Act amending the act of May 7 1935 (P. L. 130) entitled "An act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts of aircraft operated within or above the Commonwealth of Pennsylvania . . ." making the consent deemed to have been given by a nonresident operator or owner of an aircraft involved in an accident or collision within this Commonwealth for appointment of the Secretary of the Commonwealth as his agent for service of process irrevocable and binding upon his personal representatives providing for service of process when the nonresident operator or owner has died prior to the commencement of an action and making changes to conform with existing laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 687, entitled:

An Act amending the act of May 14 1929 (P. L. 1721) entitled "An act providing for the service of process in civil suits on nonresident operators or nonresidents owners of motor vehicles operated within the Commonwealth of Pennsylvania . . ." making the consent deemed to have been given by a nonresident operator or owner of a motor vehicle involved in an accident or collision within this Commonwealth for appointment of the Secretary of the Commonwealth as his agent for service of process irrevocable and binding upon his personal representative providing for service of process when the nonresident operator or owner has died prior to the commencement of an action and making changes to conform with existing law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 688, entitled:

An Act amending the act of May 26 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" by making further provision respecting the qualification of common stock for investment where there is a predecessor or constituent corporation and by changing the requirements of an interest bearing deposit

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 689, entitled:

An Act amending the act of April 24, 1947 (P. L. 89) entitled "Wills Act of 1947" revising and changing provisions relating to foreign wills divorce testamentary conveyances affecting right of spouse taking against a will rights of adopted persons and illegitimates in lapsed and void devises and legacies and appointment of guardian of property passing to a minor upon testator's death whether or not passing under the will.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 690, entitled:

An Act amending the act of April 24, 1947 (P. L. 80) entitled "Intestate Act of 1947" and repealing parts thereof limiting right of a spouse on partial intestacy and in selection of allowance and revising procedure for setting aside spouses' allowance establishing title to real estate when spouses' claims entire estate and distribution to the Commonwealth as statutory heir

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 691, entitled:

An Act amending the act of April 24, 1947 (P. L. 100) entitled "Estates Act of 1947" revising and changing provisions relating to power of court to terminate trusts heretofore created release or disclaimer by beneficiary of spendthrift trust income accumulations conveyances to defeat marital rights and elections against such conveyances the conveyor's will and the procedure therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 692, entitled:

An Act amending the act of June 28, 1951 (P. L. 638) entitled "Register of Wills Act of 1951" changing the procedure on probate of wills probated outside the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 693, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" conferring exclusive jurisdiction on orphans' courts over the administration and distribution of incompetents' estates and on the orphans' court of Philadelphia County over inter vivos trusts and revising the procedure on and effect of jury trials and the availability of jurors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 694, entitled:

An Act repealing the act of June 7, 1917 (P. L. 337) entitled "Orphans' Court Partition Act of 1917," with exceptions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 695, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the power of bank and trust companies and trust companies to estalish and maintain mortgage investment funds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 696, entitled:

An Act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure of the orphans' court and the common pleas court relating to incompetents estates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 697, entitled:

An Act amending the act of April 18, 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" revising and changing provisions relating to first complete advertisement of the grant of letters payment of accrued pensions without letters amount of estates distributed on petition family exemptions place for grant of letters inventory and appraisement and objections thereto claims against decedents against personal representatives and against decedents' property awards to non-resident beneficiaries presumption of release or extinguishment amount of minors' estates administered without guardian and exercise of powers by foreign fiduciaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 698, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for authorized investments of saving banks.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 734, entitled:

An Act amending the act of June 14, 1935 (P. L. 341) entitled as amended "Cigarette Tax Act" exempting cigarettes purchased for gratuitous issue to veteran patients in State and State-aided hospitals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that House Bill No. 735, on second reading, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "The General County Law" regulating contributions made by county commissioners towards funeral expenses of deceased service persons.

be committed to the Committee on Military Affairs and Aeronautics.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 737, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "The General County Law" providing rooms for use of the American Gold Star Mothers Inc. and for certain ladies' auxiliaries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 738, entitled:

An Act amending the act of July 8, 1919 (P. L. 784, No. 321) entitled "An act authorizing counties cities and boroughs to furnish rooms in public buildings for meeting places for certain organizations" including certain ladies' auxiliaries and the American Gold Star Mothers Inc. within provisions of act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 740, entitled:

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States en-

gaged and in certain cases for the widows and wives of such persons" extending civil service preference to veterans of armed conflicts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 748, Printer's No. 585, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHMIDT. Mr. President, I ask unanimous consent that House Bill No. 749, Printer's No. 525, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that House Bill No. 755, on second reading, entitled:

An Act amending the act of June 11, 1935 (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons . . ." regulating contributions made by county commissioners towards funeral expenses of deceased service persons

be recommitted to the Committee on Military Affairs and Aeronautics.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, at the request of Senator Van Sant, I ask unanimous consent that House Bill No. 756, Printer's No. 1133, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 767, entitled:

An Act amending the act of August 9, 1955 (Act No. 130) entitled "The County Code" changing technical provisions with respect to plans required to be submitted to the County Planning Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 816, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" revising the school health services program and transferring the reimbursement appropriation for school nurses in such program to the Department of Public Instruction

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. VAN SANT offered the following amendments:

Amend Sec. 2 (Sec. 1402), page 4, line 18, by inserting after "surgery": "or licensed to practice chiropractic"; amend Sec. 2 (Sec. 1409), page 8, line 18 by striking out "or"; amend Sec. 2 (Sec. 1409), page 8, line 18 by inserting after "dental": "or chiropractic."

They were agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. VAN SANT. Mr. President, I ask unanimous consent that Senate Bill No. 816, Printer's No. 323, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 828, Printer's No. 350, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 837 CALLED UP OUT OF ORDER

Mr. LANE. Mr. President, I call up out of order from today's Second Reading Calendar, Senate Bill No. 837, Printer's No. 362, for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 837, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system . . ." increasing the amount of retirement or compensation payments to persons now retired receiving survivor annuities or State compensation under the public school employes' retirement system in conformity with provisions of amendments of section II of Article 3 of the Constitution.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 838 CALLED UP OUT OF ORDER

Mr. LANE. Mr. President, I call up out of order from today's Second Reading Calendar, Senate Bill No. 838, Printer's No. 363, for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 838, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system . . ." providing for minimum retirement allowances for present beneficiaries and appropriations for payment of the costs thereof in conformity with provisions of amendment of Section 11 of Article 3 of the Constitution.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 914 CALLED UP OUT OF ORDER

Mr. PECHAN. Mr. President, I call up out of order from today's Second Reading Calendar, House Bill No. 914, Printer's No. 359, for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 914, entitled:

An Act reenacting and amending the act of May 23, 1949 (P. L. 1661) entitled as amended "An act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses" extending the act to include school districts of the first class A.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REMAINING BILLS ON SECOND READING CALENDAR OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the remaining bills, on second reading, go over in their order.

The bills were as follows:

Senate Bill No. 830, Printer's No. 324;
Senate Bill No. 831, Printer's No. 325;
Senate Bill No. 832, Printer's No. 326;
Senate Bill No. 835, Printer's No. 361;
Senate Bill No. 836, Printer's No. 351;
House Bill No. 844, Printer's No. 1129;
Senate Bill No. 852, Printer's No. 352;
House Bill No. 961, Printer's No. 474;
House Bill No. 985, Printer's No. 365;
House Bill No. 986, Printer's No. 1022;
House Bill No. 1144, Printer's No. 848;
House Bill No. 1172, Printer's No. 1092;
House Bill No. 1212, Printer's No. 342;
House Bill No. 1227, Printer's No. 450;
House Bill No. 1259, Printer's No. 386;
House Bill No. 1294, Printer's No. 1134;
House Bill No. 1330, Printer's No. 800;
House Bill No. 1361, Printer's No. 1135;
House Bill No. 1473, Printer's No. 699;
House Bill No. 1613, Printer's No. 945;
House Bill No. 1620, Printer's No. 768;
House Bill No. 1621, Printer's No. 769;
House Bill No. 1622, Printer's No. 770;
House Bill No. 1623, Printer's No. 783;
House Bill No. 1625, Printer's No. 771;
House Bill No. 1626, Printer's No. 784;
House Bill No. 1690, Printer's No. 777;
House Bill No. 1691, Printer's No. 778;
House Bill No. 1707, Printer's No. 842;
House Bill No. 1722, Printer's No. 1029;
House Bill No. 1723, Printer's No. 952;
House Bill No. 1726, Printer's No. 954;
House Bill No. 1736, Printer's No. 956;
House Bill No. 1737, Printer's No. 993;
House Bill No. 1751, Printer's No. 898; and
House Bill No. 1763, Printer's No. 996.

The PRESIDENT. Is there objection? The Chair hears none.

INTERROGATION

Mr. STIEFEL. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. STIEFEL. Mr. President, I would like to direct an innocent inquiry to Senator Mahany.

Mr. President, on page 22 of today's Second Reading Postponed Calendar, there are two bills which have been hibernating for a long time, and they are Senate Bill No. 539 and Senate Bill No. 540. They sleep peacefully and quietly, and I wonder whether it would be dangerous to disturb their peace?

Mr. MAHANY. Senator, I honestly cannot answer that question at the present time, because I do not know all of the ramifications of these two bills. Evidently they were placed upon the Second Reading Postponed Calendar for a purpose and until we ascertain why that is, I will not be able to tell you when we can act on them. I will be glad to cooperate with you in trying to find out what is delaying these bills.

Mr. STIEFEL. I am not going into the ramifications, because I judge there is a certain reason for the speed in passing over the bills. Therefore, I am not going to take up the problem tonight and I will leave it for tomorrow.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 10, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," authorizing incorporated towns to remove and impound vehicles.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 775, entitled:

An Act making an appropriation to the Joint Committee appointed by the Senate and House of Representatives to investigate the Pennsylvania Training School at Morganza.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 871, entitled:

An Act authorizing certain mutual insurance companies, other than life insurance companies, now in existence under the provisions of the act of May 17, 1921 (P. L. 682), its supplements and amendments, to reincorporate as mutual life insurance companies; outlining the requirements and procedure; and defining the rights of dissenting members.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1834, entitled:

An Act making an appropriation to the Senate and House of Representatives of the General Assembly for the payment of salaries of officers and employees mileage of members and incidental expenses for the balance of the legislative session of 1955.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, a short time ago Senator Dent made a very serious charge on the floor of this Senate, in which he charged the Republican Party with seeking to delay this Session of the General Assembly because we were fearful that if we adjourned the Governor would be able to appoint certain members to boards and these people would be able to investigate tax returns which, under the present setup, they would not be able to investigate due to the fact that we were holding certain appointments, which the Governor was making in committee.

I wish that the Senator, by tomorrow's Session, would check with Senator Watson, the Chairman of the Committee on Executive-Nominations, and find out, if he can, what members of any boards which the Governor has appointed are being held in committee which would have anything to do with checking into any financial statements or tax statements, which have been filed with the Department of Revenue, and advise me on the floor of this Senate which ones are being held up.

If there are any members of any boards that have anything to do with what he charged, I assure him that I will be glad to cooperate with him in trying to get them released from committee.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I will be glad to do that and I would like to suggest that unless they have something personal against a man, unless a person whom the Governor has named is personally obnoxious to some Member of the Senate on the other side, that he would extend the same courtesy to all the other nominations made by the Governor.

ANNOUNCEMENT BY MAJORITY LEADER

Mr. MAHANY. Mr. President, I would like to announce that at 10:00 o'clock on Friday morning, the Rules Committee will hold a public hearing on Reorganization Plans Nos. 2, 3, 4 and 5, which appear on page 24 of today's Calendar. I suggest that any groups which are affected by these plans appear before the Rules Committee at 10:00 o'clock next Friday morning.

This public heading will be held in the Republican Senate Caucus Room, on the first floor of the Capitol.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I was going to ask if the Chairman of the Rules Committee would allow me to just present a brief in behalf of the plans since I will not be able to be here according to my present plans.

At this time I would like to suggest, if the Senate will agree, that instead of holding the public hearings on the tax bill down in the restricted area of the Caucus Room, since it is a public hearing, I would like to ask the chairman of the committee if he would change his plans in order that we may have the halls of the Senate, so that we may have the benefit of the recording device in order that after the hearings are over, those of us who are attempting to put forth a serious effort to resolve our difference will have the benefit of the recordations in order that we may be able to study the remarks made by the various spokesmen for the opponents and the proponents of the bill.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I do not see Senator Kessler in the room, but as Chairman of the Rules Committee I will be happy to comply with your suggestion and these public hearings on the tax bill will be held in the Senate Chambers instead of as heretofore scheduled.

BILLS INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. DENT and TAYLOR read in place and presented to the Chair Senate Bill No. 882, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," permitting elected officers of a city to serve as members of the legislature.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 883, entitled:

An Act amending the act of May 15, 1874 (P. L. 186), entitled "An act declaring what offices are incompatible," permitting members of the legislature elected to the office of councilman in an incorporated city to serve out their terms.

Which was committed to the Committee on Local Government.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, November 29, 1955, at 3:30 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:30 o'clock, p. m., Eastern Standard Time, until Tuesday, November 29, 1955, at 3:30 o'clock, p. m., Eastern Standard Time.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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SENATE

TUESDAY, November 29, 1955

The Senate met at 3:30 o'clock, P. M., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. ARTHUR J. PFOHL, Pastor of Zion Lutheran Church, Indiana, offered the following prayer:

Eternal Spirit, wilt Thou make Thyself known to us as our Father and Friend. Show us that Thou hast need of our lives to fulfill Thy purpose of righteousness in the world, even as we need Thee to realize the fullness and divine possibilities of our lives.

Make our highest vision of mercy and goodness, of love and justice, so real, so commanding, that all that is within us shall rise up and follow it. Endue us, O God, with the insight to read Thy truth and meaning into the facts and events of our day, and give us the courage to obey Thy truth no matter along what way it may lead us.

May our hearts and minds keep faith with Thee, for then it shall follow that we will keep faith with the high responsibilities that have been committed to our trust.

We pray Thy special blessing upon the President of our land. Continue to surround him with Thy love and strength, that he may have the health he needs to give our people of his wisdom and leadership. In Thy Name do we pray, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. PEELOR, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. RUTH asked and obtained leave of absence for Mr. SEYLER, who is attending a National Education Conference in Washington.

COMMUNICATION FROM THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF FRANK K. COCHRAN AS A MEMBER OF THE STATE TAX EQUALIZATION BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 29, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated November 15, 1955, for the appointment of Frank K. Cochran, 444 Sidney Street, Greensburg, Westmoreland County, as a member of the State Tax Equalization Board, until November 14, 1959, and until his successor shall be duly appointed and shall have qualified, vice Hon. Walter J. Kress, Johnstown, whose term expired.

I respectfully request the return to me of the official message of nomination in the premises.

GEORGE M. LEADER

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Judiciary General, reported as committed Senate Bill No. 381, entitled:

An Act amending the act of August 21, 1953 (P. L. 1273), entitled "The Private Detective Act of 1953," further regulating licensing of detectives and the fees and bonds required for such licensing, granting power to serve warrants to certain persons.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 862, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to reference and Arbitration," providing by rule of the County Court of Allegheny County for the arbitration of certain suits at issue.

He also, from the Committee on Judiciary General, reported as amended House Bill No. 1160, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to References and Arbitration" providing for payment by the county of part of arbitrator's fees in certain cases.

Mr. PROPERT, from the Committee on Local Government, reported as committed Senate Bill No. 242, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," removing the requirement that interest be paid by employes seeking reinstatement in the retirement system, or seeking credit in the retirement system for previous service.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 857, entitled:

An Act authorizing political subdivisions and the members of the paid fire fighting force to enter into written contracts concerning wages and conditions of employment.

He also, from the Committee on Local Government, reported as committed House Bill No. 1319, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code," clarifying the effect of certain provisions of the act with respect to powers granted by other laws.

He also, from the Committee on Local Government, re-reported as committed House Bill No. 1378, entitled:

An Act amending the act of May 20, 1915 (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof . . .," increasing period of school service for which credit may be given.

Mr. WHALLEY, from the Committee on Education, reported as committed Senate Bill No. 819, entitled:

An Act subjecting housing projects to taxation for school purposes.

He also, from the Committee on Education, reported as committed Senate Bill No. 834, entitled:

An Act validating and confirming certain contracts heretofore entered into by municipality authorities for the construction of a school building project or projects and for relevant service contracts as a part of the construction when there is no evidence of fraud or conspiracy and authorizing or ratifying payments on such contracts or parts of contracts by the municipality authority upon approval thereof by the Department of Public Instruction and the Department of Justice.

He also, from the Committee on Education, reported as committed Senate Bill No. 853, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669) entitled, as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein: . . ." excluding certain costs from the term "receipts".

He also, from the Committee on Education, reported as amended House Bill No. 1174, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," by providing for military leaves of absence for public school employes who are drafted for military service at any time.

He also, from the Committee on Education, reported as amended House Bill No. 1222, entitled:

An Act to further amend the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein . . .," as amended by further defining "receipts."

He also, from the Committee on Education, reported as amended House Bill No. 1223, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein . . .," changing the method of computing the tax of certain taxpayers changing the penalty on taxes not paid when due defining business and limiting the time within which suit may be started for collection of taxes.

Mr. LANE, from the Committee on Labor and Industry, reported as amended Senate Bill No. 446, entitled:

An Act providing for examination by the Workmen's Compensation Board of persons prior to appointment or reappointment as workmen's compensation referees.

Mr. WEINER, from the Committee on State Government, reported as committed Senate Bill No. 335, entitled:

An Act amending the act of June 22, 1937 (P. L. 1987), entitled as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; . . .," authorizing certain corporations to acquire interests in land by eminent domain.

He also, from the Committee on State Government, reported as amended Senate Bill No. 681, entitled:

An Act relating to and regulating the practice of the profession of landscape architecture; providing for the licensing and registration of persons practicing said profession and the suspension and revocation of said licenses and registrations for violation of this act prescribing the powers and duties of the State Board of Examiners of Architects the Department of Public Instruction and the courts and prescribing penalties.

He also, from the Committee on State Government, reported as committed House Bill No. 1188, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code," limiting interest payments on refund of money subject to escheat to moneys originally on deposit in interest bearing accounts.

He also, from the Committee on State Government, re-reported as committed House Bill No. 1350, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in the borough.

He also, from the Committee on State Government, reported as committed House Bill No. 1392, entitled:

An Act amending the act of May 10, 1939 (P. L. 111) entitled "Commerce Law," granting to and imposing certain powers and duties on the Department of Commerce relating to planning programs assistance and other work heretofore administered by the State Planning Board and transferring records and equipment relative thereto.

He also, from the Committee on State Government, re-reported as committed House Bill No. 1501, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey real property situate in the Borough of West Chester Chester County.

He also, from the Committee on State Government, re-reported as committed House Bill No. 1512, entitled:

An Act authorizing cooperative return of parole and probation violators and the making of contracts or deputization of persons pursuant thereto.

He also, from the Committee on State Government, reported as committed House Bill No. 1790, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximatley one thousand two hundred sixty-six acres of land in the Township of Coolbaugh County of Monroe Pennsylvania known as Tobyhanna Signal Depot and ceding jurisdiction to the United States.

BILLS RE-REFERRED

Mr. WEINER, from the Committee on State Government, returned to the Senate, House Bill No. 514, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Musemum Commission to acquire by purchase, certain lands adjacent to the Pennsylvania Farm Museum of Landis Valley property, providing for the control, maintenance and improvement thereof, and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, returned to the Senate, House Bill No. 1027, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire two acres of land, more or less, in the Borough of Danville, Montour County, Pennsylvania, for use of Danville State Hospital; and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, returned to the Senate, House Bill No. 1028, entitled:

An Act authorzinig the Department of Property and Supplies, with the approval of the Governor, to acquire land in the Borough of Riverside, Northumberland County, Pennsylvania, for use of Danville State Hospital; and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, returned to the Senate, House Bill No. 1035, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire land in the City of Nanticoke, Luzerne County, for the use of Nanticoke State Hospital; and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, returned to the Senate, House Bill No. 1036, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire .326 of an acre, more or less, of land in Newport Township, Luzerne County, for the use of Retreat State Hospital; and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, returned to the Senate, House Bill No. 1280, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire seven tracts of land in the borough of Edinboro, Erie County, for use of the Edinboro State Teachers' College; and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, returned to the Senate, House Bill No. 1464, entitled:

An Act directing the Department of Highways to transfer the Searight Toll House to the Pennsylvania Historical and Museum Commission providnig for the repair of the Toll House; authorizing the Department of Property and Supplies to convey the Toll House to the Westmoreland-Fayette Historical Society; and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, returned to the Senate, House Bill No. 1486, entitled:

An Act reenacting and amending the title and the act of May 20, 1949 (P. L. 1633), entitled "Housing and Redevelopment Assistance Law," transferring functions of State Planning Board relating to housing and redevelopment to the Department of Commerce; removing slum clearance and certain restrictions as to capital grants for redevelopment purposes from provisions of act and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, returned to the Senate, House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land with buildings thereon in the Borough of Indiana, Indiana County, Pennsylvania for the use of the Indiana State Teachers College, and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, returned to the Senate, House Bill No. 1615, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land, with buildings thereon in the Township of White, Indiana County, Pennsylvania, containing 7,486 acres more or less for the use of the Indiana State Teachers College; and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, returned to the Senate, House Bill No. 1616, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land in the Borough of Indiana, Indiana County, Pennsylvania, containing 2.5 acres more or less for the use of the Indiana State Teachers College, and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, returned to the Senate, House Bill No. 1699, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire land on which is located the Old Bradford House in the City of Washington, Washington County; providing for its repair; authorizing the conveyance thereof to the Washington County Historical Society; and making an appropriation.

Which was re-referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. WHALLEY, from the Committee on Education, reported as committed Senate Bill No. 188, entitled:

An Act relating to the practice of Ophthalmic Dispensing, providing for the licensure and registration of Dispensing Opticians, authorizing the issuance of certificates to registered qualified Ophthalmic Dispensers, creating a State Board of Examiners for Dispensing Opticians to determine the respective qualifications of applicants, and defining specific powers and duties thereof, providing for penalties for violations of the provisions thereof, and providing for appeals to Court.

He also, from the Committee on Education, reported as amended Senate Bill No. 316, entitled:

An Act amending the act of March 30, 1917 (P. L. 21) entitled "An act defining optometry; . . ." regulating the advertising of products used for ophthalmic purposes and providing penalties for violation thereof.

He also, from the Committee on Education, reported as committed House Bill No. 856, entitled:

An Act amending the act of March 30, 1917 (P. L. 21) entitled "An act defining optometry; . . ." further regulating the refusal cancellation revocation and suspension of licenses providing for rules and regulations and eliminating repealed provisions.

Mr. McGINNIS, from the Committee on Local Government, reported as amended Senate Bill No. 841, entitled:

An Act to promote the welfare of the people of this Commonwealth creating Port Authorities to function in counties of the second class as bodies corporate and politic with power to plan acquire construct maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof authorizing the authorities to enter into contracts with and to accept grants from the Federal government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates and services and authorizing the authorities to collect tolls fares fees rentals and charges for the use of facilities defining the authorities' powers and duties and defining the port districts.

Mr. YOSKO, from the Committee on Local Government, reported as amended Senate Bill No. 877, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "The Fourth to Eighth Class County Assessment Law," imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

Mr. HARNEY, from the Committee on Agriculture, reported as committed Senate Bill No. 383, entitled:

An Act amending the act of May 20, 1949 (P. L. 1594), entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and possessing with intent to sell, of adulterated or deleterious ice cream, french ice cream, french custard, frozen custard, frozen ice confections, frozen sherbet confections, sherbet, ice and fruit ice, including coated ice cream and the coating thereof; . . ." authorizing and regulating the manufacture and sale of artificially sweetened ice cream for diabetics.

He also, from the Committee on Agriculture, reported as committed Senate Bill No. 842, entitled:

An Act amending the act of May 15, 1939 (P. L. 134) entitled, as amended, "An act relating to fireworks; . . ." authorizing the use of fireworks in connection with raising crops.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Selinsgrove State School, for the term of four years and until their successors are appointed and qualified:

Edward B. Freck, Island Park, Northumberland, Northumberland County, vice Wm. T. MacCreadie, Lewisburg, resigned.

C. Olan Dimm, R. D. 2, Mifflintown, Juniata County, vice Paul V. Leitzel, Richfield, removed from officer.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Peter A. Justin, 6th and Oak Streets, Mt. Carmel, Northumberland County, for appointment as a member of the Board of Trustees of Danville State Hospital, for the term of four years and until his successor is appointed and qualified, vice Robert M. Thomas, Shamokin, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Shamokin State Hospital, for the term of four years and until their successors are appointed and qualified:

Carleton M. Strouss, Esq., 117 North Oak Street, Mt. Carmel, Northumberland County, vice Frank A. Miller, Mt. Carmel, resigned.

William Ruffing, Union National Bank Building, Mt.

Carmel, Northumberland County, vice Edmund Glowacki, Mt. Carmel, resigned.

Michael Stewart, 1471 Chestnut Street, Kulpmont, Northumbreland County, vice George Shecora, Kulpmont, resigned.

Thomas J. Carr, 416 Center Street, Shamokin, Northumberland County, vice W. Irvin Wiest, Esq., Shamokin, resigned.

Michael J. Wanzie, 715 Pine Street, Kulpmont, Northumberland County, vice Fred D. Kessler, Northumberland, resigned.

Ralph Feudale, 51 South Franklin Street, Shamokin, Northumberland County, vice Frank J. Miller, Paxinos, resigned.

Stanley J. Kozloski, 1605 West Lynn Street, Shamokin, Northumberland County, vice Elmer Faust, Shamokin, deceased.

Thomas F. Landy, 316 East Dewart Street, Shamokin, Northumberland County, vice Carl Rice, Esq., Sunbury, resigned.

Archer Croll, 828 West Spruce Street, Shamokin, Northumberland County, vice Mrs. S. Elizabeth Barr, Shamokin, removed from office.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Dixmont State Hospital, for the term of four years and until their successors are appointed and qualified:

Dr. Joseph F. Novak, Pittsburgh, from November 18, 1953.

Victor L. Alski, Pittsburgh, from November 18, 1953.

Dr. Charles L Hamilton, Jr., 232 Ridge Avenue, Ben Avon, Pittsburgh 2, Allegheny County, vice Robert G. Harris, Emsworth, removed from office.

Miss Elinor A. Sigel, 167 Pennsylvania Avenue, Emsworth, Pittsburgh 2, Allegheny County, vice Mrs. Mary D. Phillips, Pittsburgh, removed from office.

Mrs. Margaret B. McBride, 201 Cedar Drive, Pittsburgh, Allegheny County, vice Frank W. Ittel, Esq., Pittsburgh, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. S. Ickes, Jr., 415 Main Street, Boswell, Somerset County, for appointment as Justice of the Peace in and for the Borough of Boswell, Somerset County, to serve until the first Monday of January 1956, vice C. S. Ickes, deceased.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles T. Benner, Saxton, Bedford County, for appointment as a member of the Board of Trustees of Hollidaysburg State Hospital, for the term of four years and until his successor is appointed and qualified, vice Maurice F. Clouse, Waterside, removed from office.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clayton G. Sleek, P. O. 529 Govier Lane, Johnstown, for appointment as Justice of the Peace in and for the Township of Conemaugh, Somerset County, to serve until the first Monday of January 1956, vice John F. Anderson, deceased.

GEORGE M. LEADER.

MEMBER OF THE PENNSYLVANIA FISH COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph M. Critchfield, Confluence, Somerset County, for appointment as a member of the Pennsylvania Fish Commission, until the second Tuesday of January 1958, and until his successor is appointed, to fill a vacancy.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 12, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Farview State Hospital, for the term of four years and until their successors are appointed and qualified:

Raymond C. Schweighofer, 570 Cliff Street, Honesdale, Wayne County, vice Lester F. Burlein, Honesdale, removed from office.

J. Mark Robinson, Riverhill Farms, Tunkhannock, Wyoming County, vice J. Russell Eshback, Bushkill, removed from office.

Frank Zazzera, 125 Farview Street, Carbondale, Lackawanna County, vice Roy N. Howe, Lake Ariel, whose term expired.

Leonard Walsh, 143 Farview Street, Carbondale, Lackawanna County, vice Samuel Dreater, Mayfield, removed from office.

Carl Franceski, 1147 North Main Street, Forest City, Susquehanna County, vice Dr. A. B. Cimochowski, Forest City, resigned.

Stephen Kiehart, 213 Main Street, Mayfield, Lackawanna County, vice R. LeRoy Dengler, Mount Pocono, whose term expired.

Eugene A. Colleran, 1010 Moosic Street, Jessup, Lacka-

wanna County, vice Alfred Williams, Scranton, removed from office.

GEORGE M. LEADER.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, I understand the Committee on Appropriations has prepared a bill calling for an expenditure of $265,000 for the purpose of cancer research in Pennsylvania. I am about to offer a bill, asking that $50,000 of this amount be appropriated to the Hoxey Cancer Clinic at Portage, the one institution in Pennsylvania, and one of the two in America, that really and truthfully is treating cancer successfully.

I again renew my plea, asking the Members of this body and the press to take time out and come to Portage and see for themselves, once and for all, whether or not we are offering a public service such as never has been had in the Country before. You must really see and you must really talk to these patients.

Despite the fact that we are treating cancer sufferers, I realize, and our staff realizes, that we should continue our present research. I am happy to announce that we are using two of America's outstanding research laboratories, laboratories which are working with us in further research. If ever a dollar is spent for good use, it will be spent by the passage of this bill.

I trust the Committee on Appropriations will sit down and seriously consider acting upon this bill before the last day of the Session.

BILLS INTRODUCED AND REFERRED

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 884, entitled:

An Act making an appropriation to the Hoxsey Cancer Clinic to be used in Cancer research.

Which was committed to the Committee on Appropriations.

Mr. WHALLEY read in his place and presented to the Chair Senate Bill No. 885, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Meyersdale Community Hospital.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 886, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Somerset Community Hospital.

Which was committed to the Committee on Appropriations.

Messrs. WEINER and DIEHM read in place and presented to the Chair Senate Bill No. 887, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," changing the membership of the State Board of Examiners of Architects.

Which was committed to the Committee on State Government.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 888, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; . . ." by creating the State Licensing Board for Monument Builders and Salesmen.

Which was committed to the Committee on Education.

SENATE BILL No. 593 TAKEN FROM TABLE

Mr. HALUSKA. Mr. President, I call from the table at this time Senate Bill No. 593, Printer's No. 218, which was recalled from His Excellency, the Governor of the Commonwealth, for the purpose of amendment.

RECONSIDERATION OF SENATE BILL No. 593

Mr. HALUSKA. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 593, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," extending the benefits to employes of certain authorities created jointly with other political subdivisions or joined in by the cities; and authorizing credit for past service on making back payments.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. HALUSKA. Mr. President, I voted with the majority.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. HALUSKA. Mr. President, I voted with the majority.

Mr. RUTH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 2 (Section 15), page 4, line 16, by striking out after the word "within" and before the word "months" the following: "six"; and inserting in lieu thereof the following: "twelve"; Amend Section 2 (Section 15), page 4, line 17, by striking out after the word "within" and before the word "months" the following: "six"; and inserting in lieu thereof the following:

"twelve"; Amend Section 2 (Section 15), page 4, line 18, by striking out at the end of the line after the word "later" the following "or at such subsequent time as the pension"; Amend Section 2 (Section 15), page 4, line 19, by striking out at the beginning of the line before the word "Any" the following: "board shall approve".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill, as amended, lie over for printing.

COMMITTEE APPOINTED PURSUANT TO SENATE CONCURRENT RESOLUTION, SERIAL No. 114

The PRESIDENT. The Chair wishes to announce that the President pro tempore has appointed the following Senators to the Benjamin Franklin Sesqui Biscentennial Commission of Pennsylvania, pursuant to Senate Concurrent Resolution, Serial No. 114:

The Senator from Warren, Doctor Chapman; the Senator from Clinton, Mr. Stevenson; the Senator from Indiana, Mr. Peelor; the Senator from Westmoreland, Mr. Dent; and the Senator from Philadelphia, Mr. Stiefel.

PETITIONS AND REMONSTRANCES

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. MAHANY. Senator Dent, yesterday I asked you to get a list of those appointees which the Governor had sent over and which you stated the Senate was sitting on. I wonder if you have the list of those who in any way have any connection with investigating any tax returns filed by corporations?

Mr. DENT. Mr. President, Mr. Heagy, the Governor's Secretary, was requested to get that material to me and the names of those in the Executive Nominations Committee. Right before I came downstairs, I checked and he said it should be over here before the Session is adjourned. When they come over, I will be glad to read them to the Members of the Senate, or I shall give them to the gentleman from Crawford, whichever way he wants it.

Mr. MAHANY. Senator Dent, in order that there be no misunderstanding, I am merely interested in your statement of yesterday in which you said that, "This is part of a plot to keep this General Assembly in Session in order that Governor Leader's confirmations, sent over here to the Senate, totaling 182 or 183, will remain in committee so that the skulduggery of the past sixteen years cannot be investigated, so that the millions of dollars that have been handed out in tax rebates could not be uncovered, so that the many discretions"—you must have meant indiscretions—"of the past sixteen years cannot be brought to light."

Those are the people that we are interested in finding out, who they are, who are going to do that and which we are not releasing from committee. I am not particularly interested, for instance, in the number of people we might be holding up for appointments to Public Assistance and justices of the Peace and others. It is just those particular members that I would like to find out who they are.

Mr. DENT. Mr. President, I will be glad to turn them over to Senator Mahany. However, he must realize, of course, that in a political government, every part of the government is part of it, and an integral part of it. It is like a spoke on a wheel. The hub is no good unless it has the spokes. At the right time and when I get the information, I will give you all the spokes, the hub and the rim.

I beg your pardon, Mr. President. They have arrived. You may as well settle back and sit down, Senator Mahany. You might be a long time standing.

The first one I come to, without knowing what it is, I happen to note the date of it and it is January 24, 1955. This man is only getting a three-year appointment, by the time you fellows ever get around to it, if you ever do. I do not know who he is. I might read them to you. This one is a gentleman who is a Member of the Valley Forge Park Commission. We would like to know what has happened to the Valley Forge Park Commission over the past years and perhaps this man's addition to that Park Commission might give us the inside information. Here is another one—

Mr. MAHANY. Mr. President, I am still interrogating the gentleman from Westmoreland.

Mr. DENT. I am answering your interrogation.

Mr. MAHANY. You have stated, Senator Dent, that the reason these people are being held up is because we do not want to be investigated about the millions of dollars that have been handed out in tax rebates and which cannot be uncovered. Are there any people on that list who would have anything to do with any investigation of tax rebates which may or may not have been made?

Mr. DENT. Mr. President, I will be glad to as we come to the names—there are about 180 of them. I will read them to you, and we will decide whether their positions are important enough to receive consideration or whether they are in any position that would be necessary to the proper management of this State's Government, whether or not they are in a position to give an assist to any department that might be making an investigation of purchases or an investigation of tax refunds or any other investigation.

If you will have patience and sit down nice and comfortably, I will read them and we will see what happens. If you want me to go through them, I will be glad to. I am just as much a stranger to them as you are.

Mr. MAHANY. Mr. President, I would like to have the gentleman's answers be responsive. He made a charge here yesterday and he pinpointed his charge to the fact that we are holding up people who, if they were appointed and confirmed, would be able to investigate millions of dollars that have been handed out in tax rebates, and so forth. He made a specific charge. I am not going to allow the gentleman, after he has fired a rifle, to throw a shotgun blast back here. I want him to pinpoint the particular individuals who he said we were holding up and who could do this work.

The appointment to the Valley Forge Park Commission would not have anything to do with investigating tax rebates. I want the gentleman to tell me which one of those people, if he has any there, would have anything to do with investigating tax rebates.

Mr. DENT. Mr. President, if the gentleman is just trying to be cute, then we will just play the game with him.

However, if he wants to know the facts, if he will just bear with me and sit down, I was just handed these, I will read them to you, the duties they perform and the jobs that they are in. Then, perhaps we will all know what jobs are being held up in the Senate confirmations. Among these jobs you will find that, if you read the entire statements I made yesterday, I covered not only the sentence that you are reading to me, but I covered the situation where all persons in government should be confirmed or recalled by the Governor. I said that you were emulating the State of New Jersey, which has refused to adjourn sine die, and that by so doing you are keeping in office those who are not entitled to hold office. If you want the names, I will give them to you. However, I am not going to stand here and pick out of this group of 180 names, which were just handed to me, and pinpoint any one. If you have the patience, I have the courage. We will just talk it over and call each one by name, and I think that the people of Pennsylvania should know how many descent citizens are being held up and for how long by the Confirmation Committee of this Senate.

Mr. MAHANY. Senator Dent, you know full well that you made a charge here yesterday. If you can prove it to be true, it then is a serious charge. You charged that we are holding someone up who might be able to investigate tax rebates which have been made. That is the one thing in which I am interested.

Rather than have you take up another hour and a half of our time today, I would just as soon let it go until tomorrow. I will give you a twenty-four hour extension and you can give me the name, or names, then of those people who are interested in that particular subject.

I am not interested in the people on the Valley Forge Park Commission at the present time, because I understand that commission is being operated satisfactorily. I just heard of the name of a gentleman from your County of Westmoreland which was sent over here and the Governor has recalled it. I thought perhaps we might be able to do something about that one. However, the Governor just sent a message over recalling that name. It is a good thing that we did not operate on him because it probably would have met with dissatisfaction on the part of the Governor.

Mr. DENT. That is a very nice speech and I thank you for creating in me the hope that you were going to consider a name sent over by the Governor.

Mr. DiSILVESTRO. Mr. President, this whole situation is not clear to me and, therefore, I would like to interrogate my good friend, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. In any one of three languages, Mr. President.

Mr. DiSILVESTRO. Mr. President, in order to follow this discussion and sort of denote the expressions from both men in a clear fashion, I would like to know from Senator Dent whether he has any knowledge of some of our nominees who have been blocked by our side.

Mr. DENT. I would not know that, Mr. President.

Mr. DiSILVESTRO. That is all I wanted to know. I can now follow it clearly.

Mr. DENT. Mr. President, I think that the gentleman on the other side is attempting to throw around the questioning, that he has sort of a cloak of uncertainty so as to create in the minds of those who are listening in the Chamber of the Senate at this time a doubt as to whether or not we have a legitimate complaint about the holding up of confirmations.

I made a statement, and if he will read the whole statement he will find that it was very broad, but very pertinent to the very question that you asked. The very next list of appointments here have been in since March the 7th, 1955 and I quote:

"In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following persons for appointment as Members of the Pennsylvania State Board of Censors":

Mr. President and Members of this Senate, every person in this room knows that the Board of Censors has life and death control over the motion picture display industry. Every person also knows that for many years there have been charges of favoritism and of particular concessions being given to certain movie operators to show pictures which were slightly off-color. We all know that this board would have gone into their positions and developed whether or not all of the necessary taxes were collected as well as the license fees and developed whether or not there was any truth to the statements made publicly.

Mr. President, it might be interesting to note that because we have failed to receive confirmation for these three persons, there are now appearing in Pennsylvania certain movies that a great many decent citizens are complaining about. One of them was shown in a theatre not too far from the Capitol site and one that I would not allow if I, could stop them, any children in the Commonwealth to attend. I believe that these are serious things. They deal not only in moneys; they deal in whether the administration has been right and they deal in whether or not the need is there now.

I know they are going to say that a Supreme Court decision outlawed that board. There is legislation, which could have been passed since March the 7th, that would have reinstated the board. However, their board was in existence long after the so-called outlaw act by the Supreme Court and they were paid until the new Governor took office.

Mr. President, I am not going to go through all of them. If you wish, Mr. Mahany, and do not want to take the time of the Senate, I will be glad to go over them tomorrow with you. Anytime you want them I will take them to the floor and I will take the express, specific jobs that I am interested in.

I believe that the people ought to know that here is a member of the Pennsylvania Securities Commission, for instance, and what are we doing with that in committee since April 18th? Mr. President and Members of the Senate, does anyone here know anything about the Pennsylvania Securities Commission and the amounts of moneys which it has to deal with and the privileges which it metes out to certain individuals and corporations? I think that the people ought to know that, Senator Mahany, and I still charge that when you hold up 182 jobs which need the confirmation of this Senate, for a whole year many of them, that you are crippling and endangering the administration of the present Governor of Pennsylvania.

Mr. MAHANY. Mr. President, the Senator always makes charges and then he tries to scramble back on

something else. Now he has made a serious charge here about us holding up confirmations of people who might investigate tax rebates, and now he is talking about Securities Commission people.

As I understand it, the Securities Commission is being operated all right. The fact of the matter is, as I understand it, one of the members has a full time job with a stock brokerage office in Pittsburgh and in his off hours, he devotes a little time, I guess, to the business of operating the Securities Commission. If I had my way, I would abolish the Securities Commission and try to get somebody else in here to aid this fellow who has another full time job and just devotes a little of his time to this work.

I do not know what other boards Senator Dent has there. I have the complete list here before be and most of them are boards which we are studying. I understand that one or two people, who have been sent over here for confirmation, have criminal records and we are investigating that matter. Also, Senator, I remember that one fellow who we did confirm, or had something to do with here, was let out shortly after we confirmed him because he had a criminal record. I think that happened out in your end of the State and you probably know him. I am not going to penalize the fellow any more, but I am sure that you remember the case. I see that you are shaking your head, but that was my information.

Mr. DENT. I am shaking my head at how deep you dig a shovel when you get it into what you think is dirt. That is what I am shaking my head at.

Mr. MAHANY. Well, you deny it if I have stated anything here that is untrue.

Mr. DENT. I will deny it. Mr. President and Members of this Senate, Senator Mahany said that I made a serious charge. There are 182 names in that committee. He now has said that there are some with criminal records. Does he realize what he is doing to 182 persons who are members of this great State of ours? He is casting over their heads the charge that any of them are the criminals that he talks about. If there are any criminals on the list which has been sent over, you have the right to refuse confirmation for them. Bring them out here upon the floor, and if the facts stand up the Senate will vote them down. We will be glad to have the State Police check everyone of them. I think that the Governor does try to do that. I do not like the insinuation that a friend of mine, or somebody that I know, was a criminal. Being a lawyer, I think that you would be a little closer to criminals than I am.

Mr. President and Members of this Senate, this started out I thought as an interrigation, to try to develop whether or not we had any right to complain about the confirmation of members of the Governor's official family. I believe we do have that complaint; not only in the official family but in many local offices. We have a sheriff in a county who was named long before the election, he was held up until the election and he now, as the candidate, has been elected to the office and he still is not confirmed by this Senate for the interim.

There are many of these incidents in this Session. In all of the years that we were the minority party and had control of confirmations because of the lack of the number of votes on the Republican side, only one time in my history do I remember when we at any time used the weapon of confirmation in order to hold up the appointments of the Governor. We held up, for a short period of time, certain cabinet members that were sent over by Governor Fine because he was deliberately trying to circumvent the Constitution and keep in office a man who was named by his predecessor which was contrary to the constitutional requirements of this Commonwealth. We have never used that weapon.

Mr. President, does the gentleman realize that in the future it will be difficult in my opinion for either party, with the complexion of the State being what it is, to receive thirty-four votes in this Senate, and that what you are setting up in this Session of the Legislature is a precedent which will come back and haunt you, who you all believe will be the majority party more often than we are. History has proven, in the last 100 and some odd years, that we have only elected three Governors, and so history is on your side in that you will more often be in office than we will and you are setting up a precedent which will come back to haunt you.

Why hold up Justices of the Peace? Why hold up these little offices which are important to the communities they come from? Why hold offices up which are important? Yes, a Member of the Turnpike Commission is being held up. That very phrase that I used could very well pertain to that particular office. That man may develop something. He may develop some incident in that Turnpike Commission which would be brought to light and may not stand the light.

Mr. President, these are the things which are important to an administration, that it have around it its new tenants. It is like a conquered army, asking the right to keep its offices over the men of the victors. The vanquished demand that they run the show. You have done it on the tax bill for eleven months. Because you have more lineage in the newspapers than we do, you have developed in this State a great feeling that we are not doing anything about taxes. You think that now you are going to get away by being able to say to the people that I was unable to point to a person. I want to point to every person, and every one of them has something to do with government. Any man in any capacity of government is a very important part of it. I do not hide behind any innuendoes and I do not try to create the impression that a Member of this Senate has in any way introduced anybody into the Governor's Office who is a criminal or anything like it.

You read what you want in your own remarks, Senator Mahany, but I read behind them. Mr. President, I do not see anything honorable in the statement which he just made that covers and blankets 180 some odd people with the threat that any one or two of them may have criminal records. Name the ones who have criminal records, or, at least, send their names back to the Governor and say that they are not acceptable. The man that you talked about never was confirmed by this Senate. When a man is asked a certain question on a questionnaire, he answer it. How many of us can go behind each question and find out what he stands for and what he has been in his lifetime? I know of the person you talked about. I do not know the gentleman and I never heard of him until recently when some conversation came up where I heard he was dismissed. The way I understand it, this gentleman was supposed to have been indicted years

ago for some offense during the years of the depression for writing numbers or something. I bet you have stood in court as a lawyer, and defended a lot worse criminals and tried to turn them loose on the public.

I do not believe that the people of this State ought to be given the impression that the Leader Administration is naming criminals to public office. You said that if you had your way, the (Securities Commission would be abolished. Well, if you had your way, every office that a Democrat is put into would be abolished. Why did you not abolish it during the sixteen years that you were in power if you had such feelings about it? Why did you not abolish the Censor Board during the sixteen years that you were in power. Now, all of a sudden, all of the offices which you held and filled for sixteen years have suddenly become non-essensial to the government of Pennsylvania.

Mr. President, I think that the people ought to know what the twenty-six Republican Senators are doing to George Leader's State Administration. We have made up our minds over here now that if your plan is to sit here until next Spring, or next Fall, or next Winter, or next year, or the year after, we will sit with you.

Mr. FLEMING. Mr. President, the gentleman from Westmoreland, Senator Dent, specifically brought up the Board of Censors, and he said that the Republican Caucus was holding up the confirmation. There is no question about us holding up the confirmation of that board. I spoke on that months ago. I still feel the same today as I did then. The Supreme Court of the United States, in two opinions handed down by it, ruled that they could not operate legally, that they had no right to operate as a Board of Censors. Certainly the Board of Censors has no powers and should not be reappointed. I will stand on that, and as long as I can possibly oppose and keep this side of the Senate from approving the Board of Censors, I will do so.

I would like the people of Pennsylvania to know that I am the one who is keeping a useless board from being appointed to office by this Administration. It has no duties, it cannot operate under an opinion handed down by the Supreme Court of the United States. Certainly. we have every right to keep them in.

In passing, I might note, Mr. President, that on one of the appropriation bills that we passed, to take care of the schools of Pennsylvania, it was amended in the House of Representatives to again include an appropriation for $235,000 for the Board of Censors. I would, likewise, like to serve notice on the Senate of Pennsylvania that if I can knock that appropriation out, I will certainly do so. There is a place where Governor Leader can affect some of those economies about which he talked when he ran for Governor. There is an opportunity to do away with at least three appointments which certainly are not needed. Even though as some of the gentlemen on the other side of the aisle might allege that some of their duties are needed, the fact remains that the last resort of law in this United States of America has ruled that they cannot operate. I merely wanted to inject that since the gentleman did bring that up as one of the illustrations that we were holding back. I, personally, cannot see how the Board of Censors could in any way be shielding or how the non-appointment of a new board could in any way have anything to do with any alleged tax refunds or illegal tax refunds that the previous Administrations allegedly have given.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Fleming.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Fleming, permit himself to be interrogated?

Mr. FLEMING. I will, Mr. President.

Mr. LANE. Senator Fleming, on the floor just now, you took the honor of holding up the confirmation of the Board of Censors. Is that correct?

Mr. FLEMING. I do not know whether it is an honor or not. I said that I was the first one who brought it to light. That is correct; yes, sir.

Mr. LANE. Senator Fleming, to the best of your knowledge is any member of that Board of Censors, or the nominees, guilty of a criminal record?

Mr. FLEMING. I certainly know of no criminal record that any of them have. In fact, the lady from your county, Senator Lane, is a very fine, estimable lady. Where she up for confirmation for any other office, I would be most happy to vote for her confirmation.

Mr. LANE. Senator Fleming, do you have any knowledge as to the statements made by your Floor Leader in regard to those persons whose names were sent over here in regard to any criminal records?

Mr. FLEMING. Mr. President, I do not know of any criminal records that any of the present nonimations made by the Governor might have. Possibly Senator Mahany has some knowledge of that. I, of my own personal knowledge, do not have it.

Mr. LANE. Senator Fleming, could you tell the Members of the Senate when this court decision was handed down whereby it outlawed the use of a Board of Censors in Pennsylvania?

Mr. FLEMING. In 1952, Mr. President. I have it here if you would like to read it.

Mr. LANE. I just wanted to know the date. You said 1952.

Senator Fleming, if your statement is correct, it seems to me that the Administration had a Board of Censors at that particular time. Is that not correct?

Mr. FLEMING. There is no question about that.

Mr. LANE. Did you sponsor legislation or request that the present board, serving at that time, be removed?

Mr. FLEMING. I did not. No. sir.

Mr. LANE. Senator Fleming, could you tell the Members of the Senate why you did not take that action?

Mr. FLEMING. Yes, I certainly can. I did not know of these decisions until late last year. I said on the floor of this Senate several months ago that we had made a mistake in not immediately doing away with the Board of Censors. However, I drew to the attention of the present Administration that even though we had made that mistake, certainly it should not follow in our footsteps.

Mr. LANE. Senator Fleming, is it not a fact that the members of the Board of Censors, serving in 1952, were of the Republican faith?

Mr. FLEMING. My guess would be that they were.

Mr. LANE. Do you not think further, Senator Fleming, that the reason you did not take this action was because they were persons of your particular political party? Is that correct?

Mr. FLEMING. No, Mr. President. I did not know it at that time.

Mr. LANE. Senator Fleming, could you tell the Members of the Senate the great savings that the Leader Administration might accomplish by eliminating the Board of Censors? Could you tell us the amount?

Mr. FLEMING. I do not know the exact amount. I believe the total appropriation is $235,000. I recognize the fast that there probably should be some person employed in the Department of Revenue to collect the fees for them. Therefore, that would have to be cut down some.

In fact, I remember, Senator Lane, when I talked about it we were talking in millions of dollars. I suggested at the time that I would be interested in someone talking about real small amounts. I said that I wanted to talk about $15,000 or $18,000 because I was sure that if we did not reappoint that Board of Censor, we could save the salaries of those three people.

Mr. LANE. Senator Fleming, do you have knowledge of the fact that the Board of Censors, in the last biennium, earned about $1,400,000 in fees?

Mr. FLEMING. Mr. President, I do not have knowledge that they earned any amount of money like that at all. If I may, I would answer the question in this way. I would say that they did not earn anything. Certainly, they may have collected license fees, but that could be a job which could be delegated to the Department of Revenue to collect.

Mr. LANE. Senator Fleming, since you made that statement, I would like you to tell the Members of the Senate how the Department of Revenue could collect those sums of money without having a Board of Censors.

Mr. FLEMING. I think that could be worked out. However, I would have to sit down and study it a little while. I do not know. It surely could be worked out, however.

Mr. LANE. I thank the gentleman from Allegheny.

Mr. President, it seems as though we are at the stage of the game where we are starting a little muck raking. I, for one, as a Member of the Senate, do not at all like the statement made by the Majority Leader when he cast a reflection upon good citizens of Pennsylvania who have the good fortune, the privilege and the honor of serving this Commonwealth. He inferred that a few of them, or several of them, have criminal records.

Mr. President, I wanted to bring out on the floor here today, when I interrogated Senator Fleming, that the lady who was nominated to serve on our Board of Censors happens to be one of the outstanding ladies of Washington County. I do not want anyone to stand on the floor of this Senate and infer in any manner that this lady or any of her relatives have a criminal record.

My interrogation of Senator Fleming brought out the fact that the only reason these confirmations were held up was because they happened to be members of the Democratic Party.

Mr. President, if they had knowledge of this Supreme Court decision in 1952 and if they were sincere, they would have taken action then to abolish the Board of Censors. However, they waited until the year of 1955, when we have a number of distinguished citizens who would like to serve in that capacity, to bring up the argument of the Supreme Court decision.

I want you to know now that the Supreme Court decision does not prohibit the appointment of a Board of Censors. They still have the right of review, and they serve a useful purpose here in Pennsylvania. That is how they collected that money that the Commonwealth received. If the Republicans feel that they are going to economize by eliminating the Board of Censors, they certainly have demonstrated that they are pennywise and pound foolish.

Mr. FLEMING. Mr. President, I presume we are still under Petitions and Remonstrances. Is that correct?

The PRESIDENT. That is correct.

Mr. FLEMING. Mr. President, if I could digress for just a moment, I would like to point out to Senator Lane that I did say that I thought the lady from Washington County had an unimpeachable character. I said that I thought she was one of the finest women down here and were she to be nominated for any other position, I would be most happy to vote for her confirmation. I think Senator Lane knew that I said that.

Mr. President, we have heard a lot of allegations, innuendoes and what have you. I listened to them for two hours yesterday and for several hours on other days, about what the Republican Party is doing and about how we are being led by the nose and that we are the tools of big business. I heard alleged yesterday that Senator Taylor cracked the whip over the Members on this side of the Senate and that we voted as he told us to do. I want to says to you, Mr. President and to the Membership of this Senate, that Senator Taylor has never cracked the whip on this side of the Senate. We hold him in the most high esteem. We value his counsel; we think he is one of the leading statesmen in Pennsylvania. He reasons with us and, in many instances, the viewpoint that he puts out to us on government finally become the course which we follow. For anyone to get up and try to say to the people of Pennsylvania that because Senator Taylor has said this bill is not going to pass, it is not going to pass, is a direct slam at one of the finest and most venerable gentlemen in State Government. I, for one, resent any insinuation that he is anything but that.

I would like to say to you, Mr. President and to the Members of this Senate, that the excise bill is a bad bill. I know that we agreed yesteday that we would wait until it got before us and then no one waited until it got before us. This is supposed to be the bill that is going to be good for all the people of Pennsylvania. I want to say to you Mr. President, that this is one of the worst bills that has ever happened in Pennsylvania. If it it passed, it is going to put Pennsylvania industry into a most unfavorable and unfair competitive situation with other States. It is going to put Pennsylvania industry into a most unfavorable and unfair competive situation with other States. It is going to make the ultimate consumer pay a pyramiding tax in many instances.

We have heard a lot about Chambers of Commerce. I can readily believe that the Chambers of Commerce of the State of New York, the State of New Jersey, the State of Maryland and the State of Ohio might be rooting for the passage of this excise tax. Certainly, they would be for it because that would help the manufacturers in their States. It cannot help the manufacturers or the individual consumer in the State of Pennsylvania.

Mr. President, they make a great ado about the fact that food is exempt and about the poor man. That is the man for whom they plead all the time. This Administration and the Democratic Party are supposed to be the

great champion of the average guy. They are going to watch out for him and do the things that are right for him. I want to tell you that food is not completely exempted under this because the containers, the tins and things like that in which the food is packaged are bound to have the excise tax put on them and will be passed onto the ultimate food consumed. What about packaged goods that are sold in all the supermarkets? How are you going to get away from having it passed on in that instance? I think everybody knows that the sales tax is absolutely the best tax for the average fellow. I want to say again, as I have said many times on the floor of this Senate—

POINT OF ORDER

Mr. LANE. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Washington, Mr. Lane, will state his point of order.

Mr. LANE. Mr. President, I want it distinctly understood here and now—I do not mean to interrupt you, Senator Fleming—but you know Senator Mahany last night got up on the floor and said, "We are not going to debate the tax bill under Petitions and Remonstrances because we are going to debate it when it comes before us," and then he talked for an hour. Another Senator debated the tax bill and now Senator Fleming is debating it too.

Mr. President, I am going to reserve the same right. I do not want some one to stand up on the floor and say, "Well now, we cannot debate the tax bill because it is not before us." I am willing to listen, but what is good for one side is good for the other.

The PRESIDENT. The point of order is well taken.

Mr. FLEMING. Mr. President, I think the point of order was well taken myself, but I sat here for two hours and one-half and listened to the gentleman on the other side of the aisle speak on this tax bill. I heard the gamut run from everything, up to what we were going to do to the tax, how we were stifling everybody in Pennsylvania, down to the fact that of what roten fellows certain fellows on our side of the house were and I never heard a point of order raised.

I think it is well taken. I am willing to defer my statement. I have a lot of things to say about this tax, but I will quit right now Senator Lane. I am sorry and I will take your point of order and sit down right now.

Mr. YOSKO. Mr. President, since the questin of criminal records has been brought into the withholding of confirmations, I must, of necessity, ask the Majority Leader a few questions.

Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. YOSKO. Senator Mahany, last August we had a very devastating flood along the Delaware River. More than 100 people lost their lives in that flood. Millions of dollars of property damage resulted from that flood; homes were washed away and people lost their belongings but, in particular, two bridges were washed away. One of the bridges happens to be in my District, in the city of Easton. It is the only free bridge that crosses the Delaware in that main artery which carries thousands upon thousands of automobiles and trucks over the Delaware between New York and points west, and from points west into New York.

Months ago,, Mr. President, before the flood, two recommendations were sent over here from the Governor's Office for replacements on the Delaware River Joint Toll Bridge Commission that has jurisdiction over five toll bridges, which is a multi-million dollar project, and about twenty-four toll bridges including the two which were washed away. Many other bridges were damaged during that flood. Since the only bridge that we have in Easton today is a toll bridge which everyone must use in order to cross the Delaware, there is considerable controversy in planning on the reconstruction of a free bridge and on the construction of a Bailey Bridge, a temporary bridge in the area. I am assuming that the same thing is taking place down in the Bucks County area where the other bridge was washed away.

Mr. President, it is important that the Pennsylvania side of the Delaware River Joint Toll Bridge Commission functions with a complete complement of members.

I ask you now, in view of the fact that this great emergency exists, why the two recommendations of the Governor for appointment on this commission are being withheld and have been withheld? Please, in your answer, indicate whether there is anything criminal involved in the records of those who were recommended.

Mr. MAHANY. Mr. President, first, I do not know of anything criminal in the records of the nominees. I apolize to all the other members of the various boards, who have been appointed and have not as yet been confirmed, that might be under a cloud. However, rather than come out here now with a statement as to which one of these persons it was and perhaps not have proper proof of it, I wanted to wait for a week until I can get my proof. I thought that I had it today here, but I do not. I did not mean to go into it when we first started our interrogation with Senator Dent. It has to do with a very minor board and it does not affect many of the other people who are being considered, if any.

As to your confirmation, I do not know why those two are being held up, Senator I am hoping that perhaps by next week we might be able to take some action on these appointments I did not understand that the work of the commission is being held up because these people have not been confirmed

May I ask you, Senator Yosko, is the work of the commission not being carried on at the present time?

Mr YOSKO. I can only answer that in this way. There are five members on each side of the river; that is, in Pennsylvania and New Jersey. I understand that in order to transact business, there must be a quorum present from each side. Therefore, if one member were absent from the Pennsylvania side at any meeting that was called to transact business, the meeting would have to be called off. New Jersey has its full membership functining.

In further answer to your question, I think that five minds, in planning projects such as are being planned in the devastated area, can certainly accomplish a great deal more than three, all of whom are busy here at the State Capitol, the Auditor General, the State Treasurer and the Secretary of Highways. These two appointees

would be the only two who are not affiliated with the State Government in an important executive capacity.

Mr. MAHANY. Senator Yosko, we will see what we can do by next week about releasing these names on your bridge commission down there for action by the Senate. I will assure you that I will do everything within my power to see that we do take some action.

Mr. YOSKO. They are not being withheld because of any criminal records?

Mr. MAHANY. No, definitely not.

Mr. YOSKO. I would like to ask you about two others. They are minor appointments, but I am being asked about them, and I would like to ask you about them since this question of criminal records came up.

The Alderman in the Seventh Ward of Bethlehem died, and the brother of Assemblyman Francis Bucchin was recommended quite some time ago for appointment to fill the vacancy. I understand that this confirmation is being withheld for some reason and I do not know why.

The Alderman of the Fifth Ward of Bethlehem died and his sister was recommended to fill the vacancy. That, too, happaned quite some time ago. Is there any reason that you could give me why these confirmations are being held up?

Mr. MAHANY. No, Senator, I do not know of any reason. As far as I am concerned, both of those appointments may be confirmed. I think that what happens, Senator, to be fair with all of us, is that we are rushed so for time around here that it is hard to get around to some of these things. I know every day in our Caucus that Senator Watson would like to get some time to discuss appointments and before he gets around to doing very much of it we say, "Well, we have a lot of bills on the Calendar and we have to get onto that," and consequently we do not give Senator Watson sufficient time to perhaps go over these names as he would like.

Do not blame the delay on the committee chairman, Senator Watson, as he is trying to do his job. If we could get a few more minutes in a day, perhaps we could get some of this worthwhile work done.

I would suggest, in order to do that, that we cut down on the time of Petitions and Remonstrances. This is about the first time I have led off under this order of business. If we can go to the Calendar now, I will assure the gentleman that this will be the last day that I will lead off, and if you fellows over there do not lead off under this order of business, then we will not have to devote very much time to it.

Mr. YOSKO. I just want to ask one more question about the two alderman appointments in order to clear the atmosphere. To the best of your knowledge, are their confirmation being held up because of any criminal record that might be involved?

Mr. MAHANY. No.

Mr. YOSKO. Thank you, very much.

Mr. DENT. Mr. President, I agree with the gentleman that he led off and probably instead of leading, he should have been backing up.

However, Mr. President, I might point out, for the information of all, that by not confirming the two bridge commissioners, the majority vote on the bridge commission is still Republican. There are three members on that board who do not need confirmation. One is the Auditor General, a Republican, one is the State Treasurer, a Republican, the other is the Secretary of Highways, a Democrat. The bridge commission is entirely Republican and so, Mr. President, I think that all of you can understand why the two were not confirmed they were named as Democrats many, many months ago.

I do not believe that it is fair to the people, and I do not believe it is fair to the manufacturers of Pennsylvania, to allow a mis-statement to pass by which was made by the Junior Senator from Allegheny County, in which he states that food is not exempt and that the processing of food requires cartons, cans, bottles and such, and they are therefore taxable and that food then would bear a load. That is the one statement which is a mis-statement. All articles consumed in the manufacture of a product are exempt from taxation. Since food itself, as a manufactured product, is exempt and the articles or commodities used and products used in the manufacture of food are exempt under another section of the act, then you can easily understand that that is a mis-statement. I understand that the H. J. Heinz Company has been in touch with some of the Senators from Allegheny, particularly I know of one of my own Senators on this side, and after being told the truth about the matter, there was not so much agitation. In another sense, he was stating that the manufacturers would be put in a very untenable position, on a competive base, and in the next breath he said that it would be a burden upon the consumer.

If the manufacturer is put on an untenable base then he must pay the tax, according to that statement; if he does pay the tax, then it cannot be passed on. If it is not passed on, Mr. President, how will the retail consumer be made to pay for it? If it is passed on, Mr. President, then the manufacturer is not in a position of being in a bad light competitively.

Mr. President, it might interest the Members of the Senate, and I think this is the time, before you get your minds so completely sealed against this form of taxation, when you ought to know that all goods manufactured in this State and shipped out of the Commonwealth are not taxed, and that all goods that are shipped into Pennsylvania of a manufactured nature are taxed under this excise tax bill. I explained to Senator Pechan, I believe to his satisfaction when he gave me, as he said he would, a written statement containing his objections. I said that we would sit down with him and try to iron out those exemptions if he had an open mind on the situation and was willing to deal with it on the basis of attempting to pass legislation.

I heard the same Senator from Allegheny County call the classified income tax the worst tax bill that was ever conceived and now this is the worst tax bill that has ever been conceived.

Mr. President, let me explain one thing to the people. That is an opinion and we are not of that opinion. The House was not of that opinion. We are not of the opinion, Mr. President, that the sales tax is the best tax for the people. I have some information, but I do not want to take the time of the Senate. I think that it is darn important that the people do not get a misconception and a misconstruction of this act of the Legislature, proposed by this Democratic Administration in its attempt to assume the responsibilities of government. I want the newspapers to clearly note that we offered, and still offer, to sit down

with all of you or any of you; one or the whole group, to discuss what you might call inequities and to iron out the difficulties. Neither the Goveronr nor the Democratic Administration wants to put Pennsylvania industry in a competitive nine-hole, but we do not either want to place the entire burden of $400,000,000 upon the shoulders of those who are least able to pay.

For instance, I will give you an illustration which I think bears a little meaning. I have before me, Mr. President, a report that I asked for. It is a confidential report, and it is sent out to all of the subscribers of this particular paper and it is one that will answer questions on specific problems and then the bulletin is issued to all of those who subscribe to it. It is Baxter's International Economic Research Bureau. I am sure that you would not question their figures.

Mr. PRESIDENT, you talk about this tax being burdensome on the little people. Let us look at it. If you are interested in the little people, Mr. Fleming, I am sure that you can understand these particular figures. This is how a price tag works on an automobile. Here is the way an automobile leaves the factory at the ship-away gate. The basic price is $1755. That is the price upon which the three and one-half per cent mercantile manufacturers tax would be placed. It then goes on and there are delivery charges of sixty dollars, Federal excise tax of $180, which is added on afterwards, and then delivered to the local man for $1995 and then starts the packing. The local man then goes into the two-tone color and the tinted glass, the protective undercoating, the service of gas, oil, lubrication, protective polishing, brake light, change from black to white sidewalls and he ends up with total extras, or optional features, on this particular car of $1120 or a sale price to the individual at the market place of $3115. Now if your arithmetic can show you where a three per cent retail sales tax on $3115 is less than three and one-half per cent or four per cent at the level of $1755, then I will vote with you.

Mr. President, no person here can convince me at this moment that a retail sales tax, in sufficient amount to meet the needs of this Commonwealth, will bear less heavily upon the shoulders of the little people in this State than a manufacturers' excise tax. So when you talk, if you stand up for the manufacturers, stand up boldly for them. However, do not confuse it by standing up—both—for the manufacturer and the individual consumer, because both will not pay the tax.

Mr. YOSKO. Mr. President, there was a question raised by Charlie Smith on the television program the other night, as well as, I believe, by Senator Pechan, relative to the reason for continuing the operation of the Sales Tax Bureau in the Department of Revenue in spite of the fact that the tax expired on August 31st.

Mr. President, in order to clear the atmosphere, and for the information of the Members of the Senate and those who might be interested, I made a check and submit the following.

During the months of September, October and November, that bureau collected $6,798,733. As of this date, the total collected was $124,000,000. The operating expenses of the bureau were reduced since September or the end of August from $360,034.43 to $335,081.86. That includes the payroll for the last half of November.

On the question, why continue the Sales Tax Bureau in the Department of Revenue, I understand from the Director of that Bureau that there are 15,000 delinquent accounts, people who collected but did not deposit with the State. It is the function of this bureau to continue its efforts to collect every dollar that was collected by the tax collectors to make sure that it reaches the State Treasury. If this bureau were abolished, and the contention seems to be that it should, the Commonwealth would lose perhaps millions of dollars collected in sales taxes.

I also understand, Mr. President, that some of the big taxpayers must be audited because under a directive, issued by the Department of Revenue under the previous Administration, the big tax collectors or the big taxpayers did not pay what they actually collected. Their payments were based on a six weeks study on taxable sales which was used as a barometer. They used those figures for reporting purposes or for paying into the State Treasury.

The Bureau of Sales Tax, in the Department of Revenue, I understand, is trying to get some top flight accountants so that they can make a complete audit of the large collectors and taxpayers, so that every penny which is due the Commonwealth from the sales tax will be collected and deposited into the State Treasury.

Mr. President, I hope that this information which I have given to the Members of the Senate will serve as a reason for the continuation of the bureau, until such time as the business of that bureau has been completed.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I realize that the hour is late and I am not going to keep the Senators too long on my resolution. However, I would like to make a brief statement, pointing out the contents of it and in that way save time.

I am one of the few, or maybe one of the many, who is very optimistic about the outcome of this gigantic debate. In a few days, December will come upon us and this is the month of peace on earth and good will toward men. I am sure that we shall resolve our difficulties eventually.

Mr. President, this resolution deals also with the subject of peace on earth and good will toward men. It deals with a movement which was born on the soil of Pennsylvania, just like any other movement in America, which deals with toleration. All have been bred on the soil of Pennsylvania. Here was born the famous sermon, "Acres of Diamonds." Here was originated in 1949 the movement that brings me to the Aaronsburg Story.

The Aaronsburg Story is known to everybody. It deals with a small hamlet in Pennsylvania, in Centre County, where during the Revolutionary Period a Jewish pioneer, by the name of Aaron Levy, built a Lutheran Church and he presented it along with various religious articles. Ever since, this has been as a symbol in America of good will among men.

Under the direction of Governor Duff, in 1949, close to 50,000 Americans flocked to the city of Aaronsburg to pay homage to the tenets of American democracy. This

movement spread over the Country and now there are 365 communities which are following the example of Aaronsburg.

I understand, Mr. President, that His Excellency, Governor Leader, is calling a conference on the 10th of December to further augment, strengthen and enhance this Aaronsburg Story movement. In connection with this, I desire to present my resolution, first of all, pointing out the gist of the Aaronsburg Story and then commending His Excellency, Governor Leader, for the initiative which he took in this movement.

SENATE RESOLUTION REFERRED TO COMMITTEE THE AARONSBURG STORY

Mr. STIEFEL offered the following resolution, which was twice read as follows:

In the Senate, November 29, 1955.

In Center County, only a few miles from the geographic center of Pennsylvania, amidst the verdant majesty of its rolling hillocks, like a pear set in sparkling emeralds, resplendent in its solitude, lies the village of Aaronsburg. It was here in 1786 along the early American frontier, that a Jewish pioneer, Aaron Levy, set in motion a spiritual force the impact whereof not unlike that of Russell Conwell's immortal sermon of "Acres of Diamonds", upon the American People and the tenets of our Democracy, is incalculable.

For it was Aaron Levy—in his belief that all men should have the freedom to believe—who gave the land on which to build Aaronsburg's first church and for whom the town was named. This simple and yet great act of faith reflects the fabric out of which a yound Nation was made and represents a tripple—extract of the pith and marrow of our great American Democracy.

The story of Aaronsburg leads from the singular, dramatic action of a small, rural Pennsylvania community to a great and inspiring national adventure in democracy. Allied with it are many of the most highly regarded men and women in America—from all walks of life, of different political persuasion, of varied religious belief; equally of it are the "stouthearted Pennsylvania Dutchmen of Aaronsburg" and their astonishing forceful companion for good, the average American citizen. This is their story, an exciting story that is uniquely American.

Thrice welcome and blessed is the message of the Aaronsburg Story filling so large a need in a world cankered by uncertainty and disbelief and rent asunder in numerous quarters by ugly bigotry and millenial prejudices.

It was the vision of a Pennsylvanian, Arthur H. Lewis, who was born in Mahanoy City, Pennsylvania, attended Franklin and Marshall College and later Columbia University, who became a reporter on the Philadelphia Inquirer and other newspapers, then a free-lance writer and instructor in journalism at the University of Pittsburgh and more recently a press representative for four Governors of Pennsylvania, that found in Aaronsburg during a casual visit an idea and a ideal so compelling that he has now devoted himself entirely to them. With a trenchment pen dipped in enthusiasm and understanding, he recently wrote with incisive skill a tense and climactic book entitled "The Aaronsburg Story" wherein he presents the origins of this contemporary movement. One of the passages of the book relating a conversation with and a statement made to Arthur H. Lewis by James H. Shannon a Minister of the Gospel at Millheim, in the vicinity of Aaronsburg, contains the gist of the Aaronsburg Idea:

> "Someday I'd like to write a book about this fellow Levy. He must have been a remarkable man."
>
> "You mean because he gave land and money to build a Christian church?" "Yes, but that's only part of it. All land speculators in those days set aside a few lots for churches and schools. That was good business; it attracted buyers—even today, plenty of suburban developers do the same thing with their tax-free land. In fact, these contributions were expected of them. Levy, although a Jew, was no different in that way.
>
> "It might very well be that Levy gave more than his share. The lots he donated were choice, not leftovers, and he did come through with cash. He also had vision. You can see that from the way Aaronsburg was laid out and from correspondence Levy had with Pennsylvania's Colonial and Revolutionary leaders. But even that's not what I mean."
>
> "The important contribution Levy made," at least from my point of view," was his gift of a pewter communion set to Salem Lutheran. Here was a man, a Jew, and devout Orthodox Jew at that, whose own faith must have cried out against the Sacrament, which forms the very basis of Christian worship, giving a servicefor it.
>
> "This wasn't mere respect for the point of view of the other guy. Here was a genuine desire to do something tangible to enable that other guy to maintain his point of view, so fundamentally different from Levy's own. That's real understanding. We certainly could use some of that today."

The vision of Arthur H. Lewis combined with the dynamic leadership and genius for organization of Philip Klein, now President of Harcuma Junior College made possible the rapid growth and expansion of the Aaronsburg Idea:

One day in Late October, 1949, an excitingly varied and unusual group of men met together—Supreme Court Justice Felix Frankfurter, Sir Muhammad Zafrulla Kahn of Pakistan, Reverend Daniel Poling of Philadelphia, General William Donovan, Ralph Bunche of the United Nations, Governor James Duff, Doctor Channing Tobias of the NAACP, and Rabbi Philip Bernstein of Rochester. To their meeting came 50,000 American citizens.

This would have been an impressive gathering in a large city. But it took place just beyond a quiet Pennsylvania town of 321 inhabitants. And the group, which could have understaken the discussion of world events, was concerned with the actions of a man named Aaron Levy in 1786 along the early American frontier.

What happened in Aaronsburg in 1949, how it happened, and who made it happen is the heartwarming, inspiring, true story of a tiny community raising its voice to proclaim that the same faith in human brotherhood still lives.

As in New England our forefathers met in town meeting to establish the common good, so the inhabitants of this small Pennsylvania town, with the nation's great, illumined again the ideal of brotherhool and equality as the living cornerstone of our democracy. That was just the beginning. Now the movement is dynamically spreading throughout the country.

"The Aaronsburg Story" reveals the rich, human-interest barckground and the great ideal behind one of the most unusual, helpful, and inspiring developments on the modern American scene—truly, a new handgrip for democracy in action.

With the Aaronsburg Assembly of 1949 as an example for emulation, community-action groups are being set up in hundreds of localities throughout the length and breadth of our land, the pilot purposes whereof can be summarized as follows:

1. To conduct a survey of community problems of concern to each locality.
2. To select those community problems that best lend themselves tto analysis through discussion and to subsequent affirmative community action.
3. To attempt to select a local historical figure or event to match the Aaron Levy incident that might become a dramatic focus about which a series of continuing conferences could be organized.
4. To effect a local self-supported continuation of the

Assembly to affect community action on problems of concern.

5. To test the degree of effectiveness of the community Assembly in establishing better communication among the selected individual participants.

6. To utilize the by-product values of closer association among the members of the community of varying backgrounds who have not hitherto had the facilities for easy communication with each other.

His Excellency George M. Leader, Governor of Pennsylvania, in his desire to further enhance, augment and expand the impact of "The Aaronsburg Story", as an inspiring modern adventure in brotherhood and grassroot democracy, had written recently to one hundred of Pennsylvania's leading citizens inviting them to confer in Harrisburg on Saturday, December 10, 1955, pertaining thereto.

In these December days when Peace on Earth and Goodwill towards Men are about to descend upon us with their joys and blessings, our Governor's initative is most commendable, propitious and appropriate for as Governor Leader writes in his letter: "The Aaronsburg Story which first attracted nationwide attention in 1949 because of its unique attack on Some of the Social and Racial Problems besetting democracy and the free world is not finished. Its future will depend on the support of those citizens who believe that good will among all men must be strengthened by every available means". Now Be It Therefore

Resolved that the Senate of the General Assembly of Pennsylvania view with fervent approbation Governor Leader's aid to the Aaronsburg Story movement and hopes that with his hand at the helm, this great movement that sprung into existence on Pennsylvania's tolerance-breeding soil, will further proceed along an ever-ascending path of success for the benefit of humanity and the glory of America, And

Be It Futher Resolved that the Secretary of the Senate be directed, upon the passage of the instant resolution, to forward copies thereof to His Excellency Governor George M. Leader, to Phillip Klein, President of Harcum Junior College at Bryn-Mawr, Pennsylvania, and to Arthur H. Lewis of Philadelphia, author of "The Aaronsburg Story".

REQUEST THAT RULE 39 BE SUSPENDED

Mr. STIEFEL. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, I have not had an opportunity of reading this resolution at length. I looked at it hurridely when Senator Stiefel brought it over. At that time I told him that it was a shame that it could not be read at length because I noticed here and there some very fine pieces of litlerature.

Due to the fact that none of us here, other than Senator Stiefel, know the content of this resolution, I object to its immediate consideration and ask that it be referred to committee. I assure the gentleman from Philadelphia, Senator Stiefel, that whatever committee it is referred to, if I have anything to do with it, I will see that it gets out in a hurry.

Mr. STIEFEL. Mr. President, I always bow to the wisdom of Senator Mahany. I know that by the time we get back to business next week, it will be printed in the History of the Senate. However, Senator Mahany has the full right to object to immediate consideration and, therefore, I understand from the illustrious gentleman from Erie, Senator Blass, that he is calling a meeting next Tuesday and, accordingly, being that this has something to do with history, I hope that that committee will get the assignment.

Mr. MAHANY. Mr. President, I was going to suggest to Senator Stiefel that the Rules Committee has a meeting on Friday. However, if he wants to put in in Senator Blass' committee, where most of his legislation is deposited, I will be happy to go along with it.

Mr. STIEFEL. Mr. President, the speedier the better. This conference, called by Governor Leader, is for the 10th of December. Time is of the essence. I am sorry that I could not read that resolution. I did not want to encroach upon the time of the Senate. It certainly is a very interesting story and I hope everybody will read it. Senator Mahany contributed considerably to bringing it to the attention of the Senate. The more we read the Aaronsburg Story, the less we will have fights among us.

Therefore, Mr. President, I bow before the inevitable, and I hope that the Rules Committee will report it out this Friday so that next Monday we may have it adopted.

The PRESIDENT. The resolution is referred to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. MILLER asked and obtained unanimous consent to address the Senate.

Mr. MILLER. Mr. President, yesterday the Senate unanimously approved a resolution honoring the University of Pittsburgh Football Team. I think we are all proud that one of our State teams is going to play on New Year's Day this time at the Sugar Bowl in New Orleans.

I have a resolution here which Senator Kopriver and I are presenting and asking for its immediate consideration. It pertains to the Aliquippa High School, in western Pennsylvania, winning the W.P.I.A.L., Class A.A., Championship. For those of you who like football, you might like to know that it was a good, tight game. The Aliquippa team won by a score of 14 to 13; with five minutes to play, they were behind 13 to 0 and in three minutes they put two touchdowns across and won 14 to 13.

Since Senator Kopriver and I both represent the two schools involved, I am offering this resolution.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO THE ALIQUIPPA HIGH SCHOOL, ITS FOOTBALL TEAM AND COACHING STAFF UPON WINNING THE W.P.I.A.L., CLASS A.A., FOOTBALL CHAMPIONSHIP

Messrs. MILLER and KOPRIVER, JR. offered the following resolution which was twice read, considered and agreed to:

In the Senate, November 29, 1955

On Saturday November 26, the Pitt Stadium was the scene of the game to determine the W.P.I.A.L., Class A.A., football championship.

The championship was won by Aliquippa High School team, which defeated the Mt. Lebanon High School team by a score of 14-13. The winning team scored its points within the last five minutes of play to attain the second such championship in the past four years.

Coach Carl Aschman and his staff of assistants are to be highly commended in turning out an undefeated team at Aliquippa. This team has met and defeated stalwart opposition throughout this season, and its victory in the championship game over a worthy opponent denotes

good team spirit, fine coaching, and excellent individual effort by members of the winning team; therefore be it

Resolved, That Aliquippa High School, its football team and coaching staff are hereby congratulated and commended by this Senate of Pennsylvania for their fine record in football competition and on the attainment of a much prized championship; and be it further

Resolved, That a copy of this resolution be sent to Aliquippa High School at Aliquippa, Pennsylvania.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Selinsgrove State School, for the term of four years and until their successors are appointed and qualified:

Edward B. Freck, Island Park, Northumberland, Northumberland County, vice Wm. T. MacCreadie, Lewisburg, resigned.

C. Olan Dimm, R. D. 2, Mifflintown, Juniata County, vice Paul V. Leitzel, Richfield, removed from office.

GEORGE M. LEADER

MEMBER OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Peter A. Justin, 6th and Oak Streets, Mt. Carmel, Northumberland County, for appointment as a member of the Board of Trustees of Danville State Hospital, for the term of four years and until his successor is appointed and qualified, vice Robert M. Thomas, Shamokin, resigned.

GEORGE M. LEADER

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Shamokin State Hospital, for the term of four years and until their successors are appointed and qualified:

Carleton M. Strouse, Esq., 117 North Oak Street, Mt. Carmel, Northumberland County, vice Frank A. Miller, Mt. Carmel, resigned.

William Ruffing, Union National Bank Building, Mt. Carmel, Northumberland County, vice Edmund Glowacki, Mt. Carmel, resigned.

Michael Stewart, 1471 Chestnut Street, Kulpmont, Northumberland County, vice George Shecora, Kulpmont, resigned.

Thomas J. Carr, 416 Center Street, Shamokin, Northumberland County, vice W. Irvin Wiest, Esq., Shamokin, resigned.

Michael J. Wanzie, 715 Pine Street, Kulpmont, Northumberland County, vice Fred D. Kessler, Northumberland, resigned.

Ralph Feudale, 51 South Franklin Street, Shamokin, Northumberland County, vice Frank J. Miller, Paxinos, resigned.

Stanley J. Kozloski, 1605 West Lynn Street, Shamokin, Northumberland County, vice Elmer Faust, Shamokin, deceased.

Thomas F. Landy, 316 East Dewart Street, Shamokin, Northumberland County, vice Carl Rice, Esq., Sunbury, resigned.

Archer Croll, 828 West Spruce Street, Shamokin, Northumberland County, vice Mrs. S. Elizabeth Barr, Shamokin, removed from office.

GEORGE M. LEADER

MEMBERS OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 11, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Dixmont State Hospital, for the term of four years and until their successors are appointed and qualified:

Dr. Joseph F. Novak, Pittsburgh, from November 18, 1953.

Victor L. Alski, Pittsburgh, from November 18, 1953.

Dr. Charles L. Hamilton, Jr., 232 Ridge Avenue, Ben Avon, Pittsburgh 2, Allegheny County, vice Robert G. Harris, Emsworth, removed from office.

Miss Elinor A. Sigel, 167 Pennsylvania Avenue, Emsworth, Pittsburgh 2, Allegheny County, vice Mrs. Mary D. Phillips, Pittsburgh, removed from office.

Mrs. Margaret B. McBride, 201 Cedar Drive, Pittsburgh, Allegheny County, vice Frank W. Ittel, Esq., Pittsburgh, resigned.

GEORGE M. LEADER

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, October 24, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. S. Ickes, Jr., 415 Main Street, Boswell, Somerset

County, for appointment as Justice of the Peace in and for the Borough of Boswell, Somerset County, to serve until the first Monday of January 1956, vice C. S. Ickes, deceased.

GEORGE M. LEADER

MEMBER OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles T. Benner, Saxton, Bedford County, for appointment as a member of the Board of Trustees of Hollidaysburg State Hospital, for the term of four years and until his successor is appointes and qualified, vice Maurice F. Clouse, Waterside, removed from office.

GEORGE M. LEADER

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clayton G. Sleek, P. O. 529 Govier Lane, Johnstown, for appointment as Justice of the Peace in and for the Township of Conemaugh, Somerset County, to serve until the first Monday of January 1956, vice John F. Anderson, deceased.

GEORGE M. LEADER

MEMBER OF THE PENNSYLVANIA FISH COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 14, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph M. Critchfield, Confluence, Somerset County, for appointment as a member of the Pennsylvania Fish Commission, until the second Tuesday of January 1958, and until his successor is appointed, to fill a vacancy.

GEORGE M. LEADER

MEMBERS OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, September 12, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Farview State Hospital, for the term of four years and until their successors are appointed and qualified:

Raymond C. Schweighofer, 570 Cliff Street, Honesdale, Wayne County, vice Lester F. Burlein, Honesdale, removed from office.

J. Mark Robinson, Riverhill Farms, Tunkhannock, Wyoming County, vice J. Russell Eshback, Bushkill, removed from office.

Frank Zazzera, 125 Farview Street, Carbondale, Lackawanna County, vice Roy N. Howe, Lake Ariel, whose term expired.

Leonard Walsh, 143 Farview Street, Carbondale, Lackawanna County, vice Samuel Dreater, Mayfield, removed from office.

Carl Franceski, 1147 North Main Street, Forest City, Susquehanna County, vice Dr. A. B. Cimochowski, Forest City, resigned.

Stephen Kiehart, 213 Main Street, Mayfield, Lackawanna County, vice R. LeRoy Dengler, Mount Pocono, whose term expired.

Eugene A. Colleran, 1010 Moosic Street, Jessup, Lackawanna County, vice Alfred Williams, Scranton, removed from office.

GEORGE M. LEADER

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

Mr. FLEMING. Mr. President, before you call the roll, and I have no intention of voting against any of these nominees, I merely want to state for the purpose of the record that in the names read out for the Dixmont State Hospital, a very fine lady was named to it and she certainly should be confirmed and will be confirmed, but she was named in place of Mrs. Mary D. Phillips, of Ross Township, who was removed by the board.

Secretary Shapiro announced to the people of Pennsylvania that there would be no politics in the boards of the State mental institutions and that people who qualified and could do a job for the citizens of Pennsylvania would be named to the board. I would just like the record to show that when the Governor was advised to remove Mrs. Mary D. Phillips from the Board of Trustees of Dixmont Hospital, he removed a lady who had been educated in the field of dietetics; she was a graduate of Cornell, she interned at the Columbia Medical Center in New York, she took postgraduate work at several colleges and she holds a Master's Degree. Certainly she was a distinct asset to any institution with her knowledge of what should be in a kitchen and with her knowledge of diet and dietitian's work. By all means, that lady should have been kept on. Why she was removed, I do not know; certainly not because of politics. While I did check on this, and she was registered Republican, she was never active as a Republican worker. This is one case where I believe it would have been well if they would not have removed Mrs. Phillips. The valuable advice that she could give to the running of that institution would have served it in good stead.

I am certainly going to vote for the confirmation of her successor. She is a very fine lady also, but I doubt very much if she can bring to the board the knowledge of running an institution, which is being taken away from Dixmont by removing Mrs. Phillips from it.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mallery,	Schmidt,	Whalley,
DiSilvestro,	Mahany,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Nr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

STATEMENT BY THE MAJORITY LEADER

Mr. MAHANY. Mr. President, inasmuch as the hour is growing late, and I understand that the judges are having a reception and some of the Members of the Senate are invited, I ask that any of the Senators who have any objections which would go into extended debate on any of the bills on the Calendar, if they request that they go over in order at this tims, we will appreciate it.

CALENDAR

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 38, Printer's No. 208, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE. Mr. President, I ask unanimus consent that Senate Bill No. 657, Printer's No. 278, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 171, as follows:

An Act amending the act of July seven one thousand eight hundred seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act" enlarging the jurisdiction of aldermen magistrates and justices of the peace

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of July 7 one thousand eight hundred seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act" is amended to read

Section 1 Be it enacted &c That the aldermen magistrates and justices of the peace in this commonwealth shall have concurrent jurisdiction with the courts of common pleas of all actions arising from contract either express or implied and of all actions arising from contract either express or implied and of all actions of trespass [and of trover and conversion] wherein the sum demanded does not exceed [three hundred] five hundred ($500) dollars except in cases of real contract where the title to lands or tenements may come in question [or action upon promise of marriage]

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kopriver, Jr.,	Pechan,	Wagner,
Davis,	Lane,	Peelor,	Watkins,
Dent,	Kessler,	Propert,	Watson,
Derk,	Mahany,	Ruth,	Weiner,
Diehm,	Mallery,	Schmidt,	Whalley,
DiSilvestro,	Madigan,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 257, as follows:

An Act validating the action of any school board which has heretofore employed any teacher who was related to a member of the board without strictly complying with the law relating to such employment and relieving the members of the board from all liability

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore any board of school directors consisting of seven members has employed a teacher who was related to a member of the board by the affirmative votes of five members notwithstanding the fact that the teacher did not receive the affirmative votes of three-fourths of the members of the board as required by the "Public School Cote of 1949" if all other provisions of law were complied with and there was no fraud perpetrated nor loss caused to the school district the action of such board of school directors is hereby validated and confirmed and they are hereby individually relieved of any liability either civil or criminal for their action in employing such teacher

Section 2 This act shall take effect immediately

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 410, as follows:

An Act relating to the satisfaction of mortgages in cities and counties of the first class by the recording of a satisfaction piece prescribing forms therefor and fixing the fees thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act

(1) "Mortgagee" includes any persons partnership association corporation society organization or fiduciary holding a mortgage against real estate in a city or county of the first class and entitled to payment of the mortgage debt or the heir legal representative successor or assignee of any of the foregoing

Section 2 (a) Every mortgagee shall upon receipt of payment of the mortgage debt at the request of the mortgagor or owner of the mortgaged premises enter of record in the office where the mortgage is recorded a duly executed satisfaction piece to be phrased substantially as provided in the form set out in section 7 of this act and acknowledged as provided by law The satisfaction piece when recorded shall forever thereafter discharge defeat and release the lien and debt of the mortgage

(b) Every mortgagee shall at the request of the mortgagor or owner of the mortgaged premises upon receipt of payment of part of the mortgage debt cause to be entered of record a duly executed partial satisfaction piece to be phrased substantially as provided in the form set out in section 7 of this act and acknowledged as provided by law The partial satisfaction piece shall show the amount of the partial payment and the balance of the principal debt still due and owing

Section 3 Every satisfaction piece shall contain the name of the mortgagor and mortgagee the date and amount of the mortgage a reference by book and page (or appropriate designation in the case of microfilm recording) to the record of the original mortgage a brief description of the real estate and any assignment or assignments thereof The satisfaction piece shall be duly approved by the owner of the real estate and shall be accompanied on presentation for recording by the original mortgage instrument

Section 4 The recording officer shall properly index all satisfaction pieces against the name of the mortgagee mortgagor and the name of the owner of the real estate as each is indicated in the satisfaction piece and the recording officer shall indicate the recording of the satisfaction piece in the mortgage record

Section 5 This act shall not affect or impair any other act or any rule of civil procedure promulgated by the Supreme Court of the Commonwealth which provides for the satisfaction or discharge of a mortgage by order or decree of any court upon payment of the fee prescribed in section 6 hereof The recording officer shall accept for recording a copy of the order or decree certified by the prothonotary and shall index and indicate the same in the record as is herein provided for a satisfaction piece

Section 6 The fee for recording a satisfaction piece shall be two dollars and fifty cents ($2.50) exclusive of any State tax now levied or that may hereafter be levied on recorded instruments The council of any city of the first class may by ordinance establish any other fees as it may determine to be proper to cover the costs of the recording and the maintenance of the records of satisfied mortgages

Section 7 (a) Form of Individual Satisfaction Piece Complete Satisfaction

KNOW ALL MEN BY THESE PRESENTS

That .....
.....
do .....hereby certify that a certain Indenture of Mortgage bearing date the .....day of .....
Nineteen Hundred and .....made and executed by .....
.....
to .....
to secure payment of the principal sum of .....
..... dollars
and interest at the rate of .....
and duly recorded in the Department of Records of the City of Philadelphia Mortgage Book No. .....
page ..... on the .....
day of ..... Nineteen Hundred and
..... 19 .... and secured upon
(describe real estate) .....
.....
has been paid and that upon the recording of this instrument the said mortgage shall be and is hereby forever discharged The mortgage has not been assigned except as follows .....

WITNESS .....hand and seal this .....day of .....
A D 19 .....

Signed sealed and delivered in the presence of

.....(SEAL)
.....(SEAL)
.....

Approved by owners of real estate

(b) Form of Individual Satisfaction Piece Partial Satisfaction

KNOW ALL MEN BY THESE PRESENTS

That .....
.....
do ....hereby certify that a certain Indenture of Mortgage bearing date the .....day of .....Ninteen
Hundred and ..... made and executed by .....
.....
to .....
to secure payment of the principal sum of .....
..... Dollars
and interest at the rate of .....
and duly recorded in the Department of Records of the City of Philadelphia Mortgage Book No. .....
page ..... on the ..... day of .....
Nineteen Hundred and ..... 19 ....
and secured upon (describe real estate) .....
.....
.....

HAS BEEN PARTIALLY PAID and that upon the recording of this indenture the said original mortgage debt
of ..... dollars shall
be and is hereby forever discharged and the lien thereof
released to the extent of ..... dollars
leaving a present principal sum or mortgage debt of ....
..... dollars The
mortgage has not been assigned except as follows .....
.....

WITNESS .... hand and seal this .... day of .....
A D 19 ....

Signed sealed and delivered in the presence of

.....(SEAL)
.....(SEAL)
.....
Approved by owners of real estate

(c) Form of Corporation Satisfaction Piece Complete Satisfaction

KNOW ALL MEN BY THESE PRESENTS

That .....
do ....hereby certify that a certain Indenture of Mortgage bearing date the .....day of .....
Ninetten Hundred and .....made and executed by .....
to .....
to secure payment of the principal sum of .....
..... Dollars
and interest at the rate of .....
and duly recorded in the Department of Records of the City of Philadelphia Mortgage Book No. .....
page ..... on the .....
day of ..... Nineteen Hundred and ..... 19 .... and secured upon (describe real estate) .....
.....
has been paid and that upon the recording of this indenture the said mortgage shall be and is hereby forever discharged The mortgage has not been assigned except as follows .....
.....

IN WITNESS WHEREOF the said Corporation has caused its commn or corporate seal to be hereunto affixed the .....day of .....
in the year of our Lord one thousand nine hundred and .....
.....
President
Attest .....
.....
Secretary
.....
Approved by owners of real estate

(d) Form of Corporate Satisfaction Piece Partial Satisfaction

KNOW ALL MEN BY THESE PRESENTS

That .....
.....
do .... hereby certify that a certain Indenture of Mortgage bearing date the .....day of .....
Nineteen Hundred and .....
made and executed by .....
to .....
to secure payment of the principal sum of .....
..... Dollars
and interest at the rate of .....
and duly recorded in the Department of Records of the City of Philadelphia Mortgage Book No. .....
page ..... on the .....
day of .....Nineteen Hundred
and .....19 .... and secured upon (describe real estate) .....
.....
HAS BEEN PARTIALLY PAID and that upon the recording of this indenture the said original mortgage debt of ..... dollars shall be and is hereby forever discharged and the lien thereof released to the extent of .....dollars leaving a present principal sum or mortgage debt of ....
..... dollars
The mortgage has not been assigned except as follows
.....
IN WITNESS WHEREOF the said Corporation has caused its common or corporate seal to be hereunto affixed the .....day of .....
in the year of our Lord one thousand nine hundred and .....
.....
President
ATTEST: .....
Secretary
.....
Approved by owners of real estate

Section 8 This act shall take effect January 1 1956

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 445, as follows:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees proscribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating passing school buses and eliminating school bus stop signs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (10) of subsection (b) of section 828 Act of May 1, 1929 (P. L. 905) know as "The Vehicle Code" added May 26, 1949 (P. L. 1884) is amended to read

Section 828 School buses safety requirements

* * *

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth in a school bus that in addition to the other requirements of this act does not conform with the following

* * *

(10) Every school district transporting pupils by school

bus shall establish and maintain loading zones at or near all schools to or from which pupils are transported [off the highway loading zones and shall establish and designate school bus loading zones along the highways traversed by school buses by erecting thereat official "School Bus Stop" signs such signs as may be required by this section shall be furnished and maintained by the school districts and shall be erected by the authorities responsible for the maintenance of the highway]

Such loading zones shall be located off the travelable portion of the highway wherever practicable the secretary of highways with respect to state highways and local authorities with respect to highways under their jurisdiction shall have the authority to determine if any school bus loading zone established as herein provided is hazardous to any other users of the highway and if he so finds he may discontinue the same or cause it to be relocated to a point where such hazard will be eliminated

Section 2. Section 1017.1 of the act added May 26, 1949 (P. L. 1884) is repealed

Section 3 The act is amended by adding after section 1017 thereof a new section 1017.1 to read

Section 1017.1 Passing School Buses

(a) On highways having roadways not divided by safety islands or physical traffic separation installation the driver of any vehicle approaching or overtaking a school bus conforming to the requirements of this act which is being used solely for the transportation of children to or from school and which has stopped for the purpose of receiving or discharging any school child shall stop his vehicle not less than ten feet from the school bus and keep his vehicle stationary until any child has entered the bus or has alighted and reached the side of the highway

(b) On highways having dual or multiple roadways separated by safety islands or physical traffic separation installations the driver of any vehicle overtaking a school bus which has stopped for the purpose of receiving or discharging any school child shall stop his vehicle not less than ten feet from the school bus and keep his vehicle stationary until any child has entered the bus or has alighted and reached the side of the highway

(c) On highways having dual or mutliple roadways separated by safety islands or physical traffic separation installations the driver of a vehicle on another roadway approaching a school bus which has stopped for the purpose of receiving or discharging any school child shall reduce the speed of his vehicle to not more than fifteen miles per hour and shall not resume normal speed until his vehicle has passed the school bus and any child who may have alighted therefrom or is about to enter the school bus

(d) Whenever a school bus is parked at the curb for the purpose of receiving children directly from a school or discharging children to enter a school which is located on the same side of the street as that on which the school bus is parked drivers of vehicles shall be permitted to pass the school bus without stopping but at a speed not in excess of fifteen miles per hour

(e) The driver of any school bus being used solely for the transportation of children to or from school shall not start his bus until every child who may have alighted therefrom shall have reached a place of safety

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than twenty-five dollars ($25) nor more than fifty dollars ($50) and costs of prosecution for the first offense and not less than fifty dollars ($50) nor more than one hundred dollars ($100) and costs of prosecution for each subsequent offense

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 480, as follows:

An Act amending the act of May 25, 1951 (P. L. 415) entitled "An act relating to habeas corpus conferring jurisdiction upon the judges of the courts of common pleas prescribing venue defining procedure in all cases authorizing service to be made upon persons anywhere in the Commonwealth providing for the imposition of costs allowing appeals specifying the appellate court in which appeals may be taken and repealing inconsistent legislation including that conferring jurisdiction on courts of quarter sessions" extending jurisdiction as to habeas corpus to courts of quarter sessions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of May 25, 1951 (P. L. 415) entitled "An act relating to habeas corpus conferring jurisdiction upon the judges of the courts of common pleas prescribing venue defining procedure in all cases authorizing service to be made upon persons anywhere in the Commonwealth providing for the imposition of costs allowing appeals specifying the appellate court to which appeals may be taken and repealing inconsistent legislation including that conferring jurisdiction on courts of quarter sessions" is amended to read

Section 1 Any judge of a court of common pleas or a court of quarter sessions within this Commonwealth shall have jurisdiction at any time to issue a writ of habeas corpus upon application by or on behalf of any person (hereafter called the relator) alleged to be unlawfully imprisoned or detained in any penitentiary prison reformatory house of detention mental institution or other place (a) within the judge's judicial district or (b) outside of his judicial district if the relator was committed by action of any court of the judge's judicial district Provided That when realator's detention or confinement is by virtue of sentence after conviction for a criminal offense only a judge of the judicial district of conviction and sentencing shall exercise such jurisdiction

Section 2 This act shall take effect immediately

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the Provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 572, entitled:

An Act authorizing the Pennsylvania Liquor Control Board to issue special temporary permits for the retail sale of malt or brewed beverages at baseball parks under certain circumstances

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred):

Mr. McCREESH. Mr. President, I desire to be recorded as voting "no."

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 572, Printer's No. 368, on final passage, go over in its order.

The PRESIDENT. Is there objection?

POINT OF ORDER

Mr. LANE. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Washington, Mr. Lane, will state his point of order.

Mr. LANE. Mr. President, there is nothing before the Senate but the calling of the roll, is that not correct?

The PRESIDENT. That is correct.

Mr. McCREESH. Mr. President, I think that this bill should be passed over in its order because I do not feel that it is a good time to bring the bill up just now.

PARLIAMENTARY INQUIRY

Mr. MAHANY. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Crawford, Mr. Mahany, will state his question of parliamentary inquiry.

Mr. MAHANY. Mr. President, is it not possible for us now to pass this bill over and act upon it tomorrow or at some future session of the Senate?

I want to also state that a few minutes ago when we started the Calendar, it was agreed that any bill which was subject to any discussion or debate would be passed over. I did not understand that this bill was going to be debated until Senator McCreesh rose and said that he was going to vote "no." I did not realize that we would get into debate on the bill and for that reason, I had no way of knowing whether to request that it be passed over until after he rose in place and asked that his vote be recorded in the negative.

Mr. LANE. Mr. President, I do not anticipate any debate over on this side. There may be debate on the other side, but I just brought up the point of order as to whether there is anything before the Senate but the calling of the roll. As a matter of fact, the calling of the roll had commenced and Senator Bane voted, and now the gentleman wants to pass the bill over. I did not say that I was going to debate the bill. I just asked for the roll call.

The PRESIDENT. The only way the bill can be passed over is by unanimous consent. Senator Bane's name was called by the Clerk.

PARLIAMENTARY INQUIRY

Mr. LANE. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Washington, Senator Lane, will state his question of parliamentary inquiry.

Mr. LANE. Mr. President, is that the proper procedure, after the roll is called, to ask for unanimous consent for a bill to go over in order? I am asking for parliamentary information. Is that the proper procedure according to the rules?

The PRESIDENT. It is proper if unanimous consent is obtained.

Mr. LANE. Mr. President, I am not going to object to it. I do not want to take unfair advantage. I am not like some on the Republican side. I will withdraw my opposition, and let the bill go over in order and we will fight it out tomorrow. I withdraw any objection.

The PRESIDENT. There being no objection, Senate Bill No. 572, Printer's No. 368, on final passage, will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 582, as follows:

An Act amending the act of August 19, 1953 (P. L. 1104) entitled "An act relating to the acknowledgement of instruments the attestation of documents the administration of oaths and affirmations the execution of depositions and affidavits and other notarial acts heretofore or hereafter taken before any commissioned officer of the armed forces of the United States and providing that such instruments and documents executed by any person who is a member of or actually present with the armed forces of the United States or is outside the United States for certain purposes shall be legal valid and binding and providing for the form of the instrument or document and what proof shall be sufficient of the authority of such commissioned officer so to act" extending affidavit provisions to include the spouse of a member of the armed forces

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 1 act of August 19, 1953 (P. L. 1104) entitled "An act relating to the acknowledgement of instruments the attestation of documents the administration of oaths and affirmations the execution of depositions and affidavits and other notarial acts heretofore or hereafter taken before any commis-

sioned officer of the armed forces of the United States and providing that such instruments and documents executed by any person who is a member of or actually present with the armed forces of the United States or is outside the United States for certain purposes shall be legal valid and binding and providing for the form of the instrument or document and what proof shall be sufficient of the authority of such commissioned officer so to act" is amended to read

Section 1 (a) In addition to the acknowledgement of instruments and the performance of other notarial acts in the manner and form and as otherwise authorized by law instruments may be acknowledged documents attested oaths and affirmations administered depositions and affidavits executed and other notarial acts performed before or by any commissioned officer in active service of the armed forces of the United States with the rank of second lieutenant or higher in the army or marine corps or with the rank of ensign or higher in the navy or coast guard or with equivalent rank in any other component part of the armed forces of the United States by any person who either (a) is a member of the armed forces of the United States or (b) is a spouse of a member of the armed forces of the United States or (c) is serving as a merchant seaman outside the limits of the United States included within the forty-eight states and the District of Columbia or [(c)] (d) is outside said limits by permission assignment or direction of any department or official of the United States Government in connection with any activity pertaining to the prosecution of any war in which the United States is then engaged

* * *

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 600, Printer's No. 330, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 662, as follows:

An Act amending the act of May 5 1933 (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" empowering nonprofit corporations to transfer their property and assets in trust

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 302 act of May 5 1933 (P. L. 289) known as the "Nonprofit Corporation Law" is amended by adding at the end thereof a new clause to read

Section 302 General Powers Subject to the limitations and restrictions contained in this act or in its articles every nonprofit corporation shall have power

* * *

(13) To transfer revocably or irrevocably any part of its property and assets in trust to a corporate trustee which shall be a bank and trust company or trust company incorporated under the laws of Pennsylvania or a national banking association having fiduciary powers and having its principal office in Pennsylvania and to authorize such corporate trustee to invest and reinvest such property and assets subject to the same powers restrictions and obligations with respect to investment and reinvestment of such property and assets as are applicable to the nonprofit corporation itself and to pay over the net income therefrom to such nonprofit corporation at least semi-annually or at more frequent intervals if so agreed

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson.
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 670, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" revising and expanding the state mental health program providing for the appointment of a Deputy to be known as Commissioner of Mental Health and creating an advisory council on mental health in the Department of Welfare prescribing their powers and duties and changing the powers and duties of the boards of trustees of the several State mental institutions and juvenile delinquent institutions and the terms of members of boards of trustees of certain State institutions.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 6 (Sec. 2313.3), page 18, line 18, by inserting after "Welfare"; "caring for mentally ill, feebleminded, mentally retarded, mentally deficient and juvenile delinquents."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 670, Printer's No. 1128, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 686, as follows:

An Act amending the act of May 7, 1935 (P. L. 130) entitled "An act providing for the services of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts of aircraft operated within or above the Commonwealth of Pennsylvania and making the operation of such an aircraft within or above the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit" making the consent deemed to have been given by a nonresident operator or owner of an aircraft involved in an accident or collision within this Commonwealth for appointment of the Secretary of the Commonwealth as his agent for service of process irrevocable and binding upon his personal representative providing for service of process when the nonresident operator or owner has died prior to the commencement of an action and making changes to conform with existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections 1 2 and 3 act of May 7, 1935 (P. L. 130) entitled "An act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts of aircraft operated within or above the Commonwealth of Pennsylvania and making the operation of such an aircraft within or above the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit" are amended to read

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts of aircraft operated within or above the Comomnwealth of Pennsylvania and making the operation of such an aircraft within or above the Commonwealth of Pennsylvania the equivant of the appointment of the Secretary of [Revenue] the Commonwealth of the Commonwealth of Pennsylvania as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit

Section 1 (a) Be it enacted &c That from and after the passage of this act any nonresident of this Commonwealth being the operator or owner of any aircraft who shall accept the privilege extended by the laws of this Commonwealth to nonresident operators and owners of operating an aircraft or of having the same operated over or above the lands and waters of the Commonwealth of Pennsylvania or of using its aviation facilities or both or any resident of this Commonwealth who shall subsequently become a nonresident or shall conceal his whereabouts shall by the operation of an aircraft over or above the lands and waters of the Commonwealth of Pennsylvania make and constitute the Secretary of [Revenue] the Commonwealth of the Commonwealth of Pennsylvania his her or their agent for the service of process in any civil suit or proceeding instituted in the courts of the Commonwealth of Pennsylvania against such operator or owner of such aircraft arising out of or by reason of any accident or collision occuring within or above the Commonwealth in which such aircraft is involved

(b) A nonresident operator or owner of an aircraft which is involved in an accident or collision within or above this Commonwealth shall be deemed to have consented that the appointment of the Secretary of the Commonwealth as his agent for the service of process pursuant to the provisions of this section shall be irrevocable and binding upon his personal representative executor or administrator Where the nonresident operator or owner of aircraft has died prior to the commencement of an action brought pursuant to this section service of process shall be made on the personal representative executor or administrator of such nonresident operator or owner of aircraft in the same manner and on the same notice as is provided in the case of a nonresident operator or owner of aircraft Where an action has been duly commenced under the provisions of this section by service upon a defendant who dies thereafter if the personal representative executor or administrator of such defenant does not voluntarily become a party he may be substituted as a party under the applicable Rules of Civil Procedure and service of process shall be made in the same manner and on the same notice as is provided in the case of a nonresident operator or owner of aircraft

Section 2 Such process shall be served by the officer to whom the same shall be directed upon the Secretary of [Revenue] of Commonwealth of the Commonwealth of Pennsylvania by sending by registered mail postage prepaid at least fifteen (15) days before the return day of such process a true and attested copy thereof and by sending to the defendant by registered mail postage prepared a like true and attested copy with an endorsement thereon of the service upon said Secretary of [Revenue] the Commonwealth addressed to such defendant at his last known address The registered mail return receipts of the Secretary of [Revenue] the Commonwealth and of such defendant shall be attached to and made a part of the return of service of such process

Section 3 The officers serving such process upon the Secretary of [Revenue] the Commonwealth shall pay to

said Secretary at the time of service a fee of two dollars ($2.00) which fee shall be taxed as costs in the case The Secretary of [Revenue] the Commonwealth shall keep a record of each such process and the day and hour of the service thereof upon him

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 687, as follows:

An Act amending the act of May 14, 1929 (P. L. 1721) entitled "An act providing for the service of process in civil suits on nonresident operators or nonresident owners of motor vehicles operated within the Commonwealth of Pennsylvania and making the operation of such a motor vehicle on the public highways of the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit" making the consent deemed to have been given by a nonresident operator or owner of a motor vehicle involved in an accident or collision within this Commonwealth for appointment of the Secretary of the Commonwealth as his agent for service of process irrevocable and binding upon his personal representative providing for service of process when the nonresident operator or owner has died prior to the commencement of an action and making changes to conform with existing law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act of May 14, 1929 (P. L. 1721) entitled "An act providing for the service of process in civil suits on nonresident operators or nonresident owners of motor vehicles operated within the Commonwealth of Pennsylvania and making the operation of such a motor vehicle on the public highways of the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit" is amended to read

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners of motor vehicles operated within the Commonwealth of Pennsylvania and making the operation of such a motor vehicle on the public highways of the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of [Revenue] the Commonwealth of the Commonwealth of Pennsylvania as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit

Section 2 Section 1 of the act amended May 23, 1949 (P. L. 1651) is amended to read

Section 1 Be it enacted &c (a) That from and after the passage of this act any nonresident of this Commonwealth being the operator or owner of any motor vehicle who shall accept the privilege extended by the laws of this Commonwealth to nonresident operators and owners of operating a motor vehicle or of having the same operated within the Commonwealth of Pennsylvania or any resident of this Commonwealth being the licensed operator or owner of any motor vehicle under the laws of this Commonwealth who shall subsequently become a nonresident or shall conceal his whereabouts shall by such acceptance or licensure as the case may be and by the operation of such motor vehicle within the Commonwealth of Pennsylvania make and constitute the Secretary of [Revenue] the Commonwealth of the Commonwealth of Pennsylvania his her or their agent for the service of process in any civil suit or proceeding instituted in the courts of the Commonwealth of Pennsylvania or in the United States District Courts of Pennsylvania against such operator or owner of such motor vehicle arising out of or by reason of any accident or collision occurring within the Commonwealth in which such motor vehicle is involved

(b) A nonresident operator or owner of a motor vehicle which is involved in an accident or collision within this Commonwealth shall be deemed to have consented that the appointment of the Secretary of the Commonwealth as his agent for the service of process pursuant to the provisions of this section shall be irrevocable and binding upon his personal representative executor or administrator Where the nonresident motorist has died prior to the commencement of an action brought pursuant to this section service of process shall be made on the personal representative executor or administrator of such nonresident motorist in the same manner and on the same notice as is provided in the case of a nonresident motorist Where an action has been duly commenced under the provisions of this section by service upon a defendant who dies thereafter if the personal representative executor or administrator of such defendant does not voluntarily become a party he may be substituted as a party under the applicable Rules of Civil Procedure and service of process shall be made in the same manner and on the same notice as is provided in the case of a nonresident motorist

Section 8 Sections 2 and 3 of the act amended June 25, 1937 (P. L. 2277) are amended to read

Section 2 Such process shall be served by the officer to whom the same shall be directed upon the Secretary of [Revenue] the Commonwealth of the Commonwealth of Pennsylvania by sending by registered mail postage prepaid at least fifteen (15) days before the return day of such process a true and attested copy thereof and by sending to the defendant by registered mail postage prepaid a like true and attested copy with an endorsement thereon of the service upon said Secretary of [Revenue] the Commonwealth addressed to such defendant at his last known address The registered mail return receipts of the Secretary of [Revenue] the Commonwealth and of such defendant shall be attached to and made a part of the return of service of such process Provided That if the defendant refuses to accept the notice mailed or cannot be found at his last known address the registered mail return receipt or other evidence of such facts shall be attached to and made a part of the return and shall constitute sufficient service under the provisions of this section

Section 3 The officer serving such process upon the Secretary of [Revenue] the Commonwealth shall pay to said secretary at the time of service a fee of two dollars ($2.00) for each process served which fee shall be taxed

as costs in the case The Secretary of [Revenue] the Commonwealth shall keep a record of each such process and the day and hour of the service thereof upon him

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 688, as follows:

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by making further provisions respecting the qualification of common stock for investment where there is a predecessor or constituent corporation and by changing the requirements of an interest bearing deposit

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 9 act of May 26, 1949 (P. L. 1828) known as the "Fiduciaries Investment Act of 1949" amended June 19, 1953 (P. L. 284) is amended to read

Section 9 Stocks

(a) Preferred and Common Stock Preferred and common stock of any corporation organized under the laws of the United States or of any commonwealth or state thereof or of the District of Columbia shall be authorized investment if

(1) purchased in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital

(2) in the case of preferred stock the corporation issuing the stock has earned a net profit in eight of the preceding ten fiscal years as reflected in its statements and during each of the preceding ten fiscal years has paid dividends in the specified amounts upon all its preferred stock in any outstanding during such year

(3) in the case of common stock the corporation issuing the stock has earned a net profit in twelve of the preceeding sixteen fiscal years as reflected in its statements and during each of the preceding sixteen fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during said year and in each of at least twelve of the preceding sixteen fiscal years has paid dividends in some amount upon all its common stock if any outstanding during such year and

(4) in the case of any stock other than stock of a bank or insurance company or of an investment company (as hereinafter defined) the stock is listed or traded (or if unlisted or not entitled to trading privelegs shall be eligible for listing and application for such listing shall have been made) on the New York Stock Exchange or any other exchange approved by the Secretary of Banking

No investment in common stock shall be made which at that time would cause the market value of the investments in common stocks to exceed one-third of the market value of the estate not including in such market value the value of any participation in a common trust fund No sale or other liquidation of any investment shall be required solely because of any change in market values whereby the percentages of stocks hereinabove set forth are exceeded In determining the market value of an estate a fiduciary may rely upon publised market quotations as to those investments for which such quotations are available and upon such valuations of other property as in his best judgment seem fair and reasonable according to available information

When a corporttion has acquired a substantial part of its property within sixteen years immediately preceding the investment by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporation shall be consolidated so as to ascertain whether the net profit requirements of this section have been satisfied and the dividend requirements of this section shall be satisfied by payment of the required dividends by any predecessor or constituent corporation

"Corporation" as used in this section shall include a voluntary association a joint-stock association or company a business trust a Massachusetts trust a common-law trust and any other organization organized and existing for any lawful purpose and which like a corporation continues to exist notwithstanding changes in the personnel of its members or participants and conducts its affairs through a committee a board or some other group acting in a representative capacity

"Investment Company" as used in this section shall mean a corporation (as defined in this section) which is registered as an investment company under the Federal Investment Company Act of 1940 as from time to time amended and which has no preferred stock bonds loans or any other outstanding securities having preference or priority as to assets or earnings over its common stock and which shall have net assets of not less than ten million dollars ($10,000,000) at the date of purchase

"Common Stock" as used in this section shall include the stock certificate certificates of beneficial interests or trust participation certificates issued by any corporation or unincorporated association included under the definition of "corporation" in the preceding paragraph

* * *

Section 2 Section 12 of the act is amended to read

Section 12 Interest-Bearing Deposit An interest-bearing deposit in any bank bank and trust company savings bank or national banking association located within the Commonwealth shall be an authorized investment if

(1) not in the commercial department of a corporate fiduciary of the estate or trust to which the funds belong

(2) the maturity date or the permissible date of withdrawal does not exceed one year from the date of the deposit or any renewal thereof and

(3) [the aggregate of such deposits does not exceed [one thousand five hundred] five thousand dollars] except that in the case of a mutual savings bank the aggregate does not exceed the amount which is fully insured by the Federal Deposit Insurance Corporation pursuant to the Act of Congress of June sixteenth one thousand nine hundred thirty-three (48 Stat 168) and its supplements and amendments heretofore or hereafter enacted

Section 3 This act shall take effect January 1, 1956

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were take nagreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming.	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Lane,	Pechan,	Wagner,
Davis,	Kessler,	Peelor,	Watkins,
Dent,	Kopriver, Jr.,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 689, Printer's No. 354, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 690, as follows:

An Act amending the act of April 24, 1947 (P. L. 80) entitled "An act relating to the descent of the real and personal estates of persons dying intestate and the procedure in reference thereto" and repealing parts thereof limiting right of a spouse on partial intestacy and in selection of allowance and revising procedure for setting aside spouses' allowance establishing title to real estate when spouse's claims entire estate and distribution to the Commonwealth as statutory heir

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 act of April 24, 1947 (P. L. 80) known as the "Intestate Act of 1947" is amended to read

Section 2 Share of Surviving Spouse The surviving spouse shall be entitled to the following share or shares

(1) More Than One Child One-third if the decedent is survived by more than one child or by one or more children and the issue of a deceased child or children or by the issue of more than one deceased child or

(2) One Child One-half if the decedent is survived by one child only or by no child but by the issue of one deceased child or

(3) No Issue The first ten thousand dollars in value and one-half of the balance of the estate if the decedent is survived by no issue In case of partial intestacy any amount received by the surviving spouse under the will shall satisfy pro tanto the ten thousand dollar allowance or

(4) No Issue or Other Designated Person All of the estate if the decedent is survived by no issue parent brother sister child of a brother or sister grandparent uncle or aunt

Section 2 Sections 10 11 and 12 of the act are repealed

Section 3 The act is amended by adding after section 9 three new sections to read

Section 10 Spouse's Allowance Procedure The ten thousand dollar allowance shall be set aside and awarded in distribution to the surviving spouse or his successor in interest in the same manner as other distributive shares of the estate are awarded without any right in the surviving spouse to choose particular real or personal property in satisfaction thereof Nothing herein shall be construed as limiting the right of the surviving spouse and other distributees to demand that property not theretofore sold be distributed in kind to them

Section 11 Procedure to Establish Title to Real Property When Spouse Claims Entire Estate A surviving spouse entitled under the provisions of this act to the entire estate of the decendent shall have it awarded to him in the same manner as a lesser share of the estate would be so awarded

Section 12 Property Distributable to the Commonwealth When the estate is distributable to the Commonwealth as statutory heir under the provisions of this act it shall be reduced to cash in all cases by the personal representative and awarded by the court in distribution to the Commonwealth and paid by the personal representative through the Department of Revenue into the State Treasury

Section 4 This amending act shall take effect January 1, 1956 and shall apply to the real and personal estates of all persons dying on or after the day the provisions of sections 10 11 and 12 of the "Intestate Act of 1947" repealed hereby shall remain in effect as to the estates of persons dying on or after January 1, 1948 and prior to January 1, 1956

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson.
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko.

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 691, as follows:

An Act amending the act of April 24, 1947 (P. L. 100) entitled "An act relating to the incidents of legal and equitable interests in real and personal property including the validity thereof the powers rights and duties of persons with respect thereto and the disposition of interests which fail and containing provisions concerning termination of trusts releases and disclaimers of powers and interests perpetuities accumulations charitable estates rights of a surviving spouse in property as to which the decedent has retained certain powers spendthrift trusts limited estates in property rules of interpretation estates pur auter vie estates in fee tail and the Rule in Shelley's Case" revising and changing provisions relating to power of court to terminate trusts

heretofore created release or disclaimer by beneficiary of spendthrift trust income accumulations conveyances to defeat martial rights and elections against such conveyances the conveyor's will and the procedure therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 and subsection (a) of section 3 act of April 24, 1947 (P. L. 100) known as the "Estates Act of 1947" are amended to read

Section 2 Termination of Trusts

(a) Failure of Original Purpose The court having jurisdiction of a trust heretofore or hereafter created regardless of any spendthrift or similar provision therein in its discretion may terminate such trust in whole or in part or make an allowance from principal to a conveyor his spouse issue parents or any of them who is an income beneficiary provided the court after hearing is satisfied that the original purpose of the conveyor cannot be carried out or is impractical of fulfillment and that the termination partial termination or allowance more nearly approximates the intention of the conveyor and notice is given to all parties in interest or to their duly appointed fiduciaries But distributions of principal under this section whether by termination partial termination or allowance shall not exceed an aggregate value of twenty-five thousand dollars from all trusts created by the same conveyor

(b) Distribution of Terminated Trust Whenever the court shall decree termination or partial termination of a trust under the provisions of this section it shall thereupon order such distribution of the principal and undistributed income as it deems proper and as nearly as possible in conformity with the conveyor's intention

(c) Other Powers Nothing in this section shall limit any power of the court to terminate or reform a trust under existing law

Section 3 Release or Disclaimer of Powers or Interests

(a) Powers and Interests Releasable Any power of appointment or power of consumption whether general or special other than a power in trust which is imperative and any interest in to or over real or personal property held or owned outright or in trust or in any other manner which is reserved or given to any person by deed will or otherwise and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a so-called spendthrift trust provision or similar provision may be released or disclaimed either with or without consideration by written instrument signed by the person possessing the power or the interest and delivered as hereinafter provided but nothing in this section shall authorize an income beneficiary of a spendthrift trust to release or disclaim his right to such income unless as a result of the release or disclaimer the released or disclaimed income will pass to one or more of the beneficiary's descendants

* * *

Section 2 Section 6 section 7 and section 8 of the act are repealed

Section 3 The act is amended by adding after section 5 two new sections to read

Setcion 6 Income Accumulations When Valid

(a) General No direction or authorization to accumulate income shall be void except as herein provided

(b) Void Accumulations Exceptions Upon the expiration of the period allowed by the common law rule against perpetuities as measured by actual rather than possible events any direction or authorization to accumulate income shall be void

This subsection shall not apply to

(1) Directions or authorizations to accumulate income in a trust for any charitable purpose or purposes

(2) Directions or authorizations to accumulate income in a bona fide trust inter vivos primarily for the benefit of business employes their families or appointees under a stock bonus pension disability or death benefit profit-sharing or other employe benefit plan

(c) Time for Beginning Period The period allowed by the common law rule against perpetuities under subsection (b) of this section shall be measured from the expiration of any time during which one person while living has the unrestricted power to transfer to himself the entire legal and beneficial interest in the property

Section 7 Income Accumulations Disposition When Invalidity Occurs Income subject to a void direction or authorization to accumulate shall be distributed to the person or proportionately to the persons in whom the right to such income has vested by the terms of the instrument or by opeartion of law

Section 4 Setcions 11 and 21 of the act are amended to read

Section 11 [Powers of Appointment Rights of Surviving Spouse] Conveyance to Defeat Marital Rights

(a) In General A conveyance of assests by a person who retains a power of appointment by will or a power of revocation or consumption over the principal thereof shall at the election of his surviving spouse be treated as a testamentary disposition so far as the surviving spouse is concerned to the extent to which the power has been reserved but the right of the surviving spouse shall be subject to the rights of any income beneficiary whose interest in income becomes vested in enjoyment prior to the death of the conveyor The provisions of this subsection shall not apply to any contract of life insurance purchased by a decedent whether payable in trust or otherwise

(b) Determination of Share The spouse may elect to take against any such conveyance and shall be entitled to one-third thereof if the conveyor is survived by more than one child or by one or more children and the issue of a deceased child or children or by the issue of more than one deceased child and in all other circumstances one-half thereof

(c) Election Against Other Conveyances A spouse electing under this section also must elect to take against the will if he is a beneficiary thereunder and against all other conveyances within the scope of subsection (a) of which he is a beneficiary

(d) Procedure The election to treat a conveyance as testamentary shall be made in the same manner as an election to take against the will if there is a will such election shall be made within the same time limitations as an election to take against the will if there is no will Such election shall be made within one year of the conveyor's death and the orphans' court on application of the surviving spouse made within such period may extend the time for making the election it can be made only if there has been no forfeiture of the right to make an election the court having jurisdiction of the deceased conveyor's estate shall determine the rights of the surviving spouse in the property included in the conveyance

Section 21 Effective Date This act shall take effect on the first day of January one thousand nine hundred forty-eight and except as set forth in [section 3] sections 2 3 and 9 hereof shall apply only to conveyances effective on or after that day As to conveyances effective before that day the existing laws shall remain in full force and effect

Section 5 This act shall take effect January 1, 1956 and except as set forth in sections 2 3 and 9 of the act amended hereby shall apply only to conveyances effective on or after that day As to conveyances effective before that day the existing law shall remain in full force and effect

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,

DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order:

The Senate proceeded to the third reading and consideration of Senate Bill No. 692, as follows:

An Act amending the act of June 28 1951 (P L 638) entitled "An act relating to the jurisdiction pwers and duties of registers of wills and regulating proceedings before them and the costs thereof the effects of their acts and appeals therefrom" changing the procedure on probate of wills probated outside the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 306 act of June 28 1951 (P L 638) known as the "Register of Wills Act of 1951" is amended to read

Section 306 Wills Probated Outside the Commonwealth A duly authenticated copy of a will proved outside of the Commonwealth according to the law of the place of probate may be offered for probate before any register having jurisdictin and letters testamentary or of administration with a will annexed may be granted thereon as though the original will had been offered before such register If in addition to such copy there shall be produced a duly authenticated copy of the record of the probate proceeding of the original instrument the will shall be entitled to probate in this Commonwealth and appropriate letters shall be issued thereon without the production or examination of the witnesses to prove such will unless the will was probated outside of the United States and the record shows or it is satisfactorily proved that an essential requirement of Pennsylvania law for a valid will has not been met [In such event] If the will was probated outside of the United States the probate proceedings may be supplemented by the submission of additional evidence to the register

Section 2 This act shall take effect January 1 1956

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 693, entitled:

An Act amending the act of August 10 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" conferring exclusive jurisdiction on orphans' courts over the administration and distribution of incompetents' estates and on the orphans' court of Philadelphia County over inter vivos trusts and revising the procedure on and effect of jury trials and the availability of jurors.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 693, Printer's No. 357, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 694, as follows:

An Act repealing the act of June 7 1917 (P L 337) entitled "An act relating to the jurisdiction powers and procedure of the several orphans courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purpose of distribution and the fees costs and expenses therein" with exceptions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of June 7 1917 (P L 337) known as the "Orphans' Court Partition Act of 1917" and its amendments are repealed as to the partition and valuation and sale of real estate of persons who died after December 31 1949

Section 2 This act shall take effect January 1 1956

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 695, Printer's No. 348 on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 696, as follows:

An Act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure of the orphans' court and the common pleas court relating to incompetents' estates

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

ARTICLE I

PRELIMINARY PROVISIONS

Section 101 Short Title This act shall be known and may be cited as the Incompetents' Estates' Act of 1955
Section 102 Definitions The following words when used in this act unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section
(1) "Clerk" means the clerk of the orphans' court having jurisdiction
(2) "Court" means the orphans' court having jurisdiction of the appointment of the guardian
(3) "Incompetent" means a person who because of mental infirmities of old age mental illness mental deficiency drug addiction or inebriety is unable to manage his property or is liable to dissipate it or become the vicitm of designing persons
(4) "Guardian" means a fiduciary appointed by a court of competent jurisdiction to have the care and management of the estate of an incompetent
(5) "Foreign guardian" means a guardian or one performing the function of a guardian who is subject primarily to the control of the court of another jurisdiction and has not received ancillary authority in the Commonwealth
Section 103 Title to Real and Personal Estate Legal title to all real estate and personal property of an incompetent shall remain in him subject however to all the powers granted to his guardian by this act and to all orders of the court
Section 104 Effective Date This act shall take effect January 1, 1956 except that as to the estate of any incompetent person of which a Pennsylvania court of common pleas has acquired jurisdiction before that date the existing law on the topics included within this act shall remain in effect so long as that court retains jurisdiction
Section 105 Severability If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby and to this end the provisions of this act are declared to be severable

ARTICLE II

SMALL ESTATES

Section 201 When Guardian Unnecessary When the entire real and personal estate wherever located of a resident or nonresident incompetent has a gross value of one thousand five hundred dollars ($1500) or less all or any part of it may be received and held or disposed of by the person or institution maintaining the incompetent without the appointment of a guardian or the entry of secuirty in any of the following circumstances
(1) Award from Decedent's Estate or Trust When the court having jurisdiction of a decedent's estate or of a trust is awarding the interest of the incompetent shall so direct
(2) Interest in Real Estate When the court having jurisdiction to direct the sale or mortgage of real estate in which the incompetent has an interest shall so direct as to the incompetent's interest in the real estate.
(3) Other Circumstances In all other circumstances when the court which would have had jurisdiction to appoint a guardian of the estate of the incompetent shall so direct
Section 202 Power to Person Or Institution Maintaining Incompetent The court may authorize or direct the person or institution maintaining the incompetent to execute as natural guardian and receipt deed mortgage or other appropriate instrument necessary to carry out a degree entered under section 201 and in such event may require the deposit of money in a savings account or the care of securities in any manner considered by the court to be for the best interests of the incompetent The decree so made except as the court shall expressly provide otherwise shall constitute sufficient authority to all transfer agents registrars and others dealing with property of the incompetent to recognize the persons named therein as entitled to receive the property and shall in all respects have the same effect as an instrument executed by a duly appointed guardian under court decree

ARTICLE III

GUARDIAN APPOINTMENT BOND REMOVAL AND DISCHARGE EVIDENCE

A Appointment

Section 301 Petition and Hearing
(a) Resident The court upon petition and a hearing at which good cause is shown may find a person domiciled in the Commonwealth to be incompetent and appoint a guardian or guardians of his estate The petitioner may be the alleged incompetent's spouse a relative a creditor a debtor or any person interested in the alleged incompetent's welfare Notice of the petition and hearnig shall be given in such manner as the court shall direct to the alleged incompetent to all persons residing within the Commonwealth who are sui juris and would be entitled to share in the estate of the alleged incompetent if he

died intestate at that time and to such other parties as the court may direct The alleged incompetent shall be present at the hearing unless (1) the court is satisfied upon the presentation of positive testimony that because of his physical or mental condition his welfare would not be promoted by his presence or (2) it is impossible for him to be present because of his absence from the Commonwealth It shall not be necessary for the alleged incompetent to be represented by a guardian ad litem in the proceeding

(b) Nonresident The court may find a person not domiciled in the Commonwealth having property in the Commonwealth to be incompetent and may appoint a guardian of his estate The appointment may be made after petition hearing and notice as in the case of a person domiciled in the Commonwealth or upon the submission of an exemplified copy of a decree establishing his incompetency in another jurisdiction The court shall give preference in its appointment to the foreign guardian of the nonresident incompetent unless it finds that such appointment will not be for the best interests of the incompetent

Section 302 County of Appointment

(a) Resident Incompetent A guardian of the estate of an incompetent may be appointed by the court of the county in which the incompetent is domiciled

(b) Nonresident Incompetent A guardian of the estate within the Commonwealth of an incompetent domiciled outside of the Commonwealth may be appointed by the court of the county having jurisdiction of a decedent's estate or of a trust in which the incompetent has an interest When the nonresident incompetent's estate is derived otherwise than from a decedent's estate or a trust within the Commonwealth a guardian may be appointed by the court of any county where an asset of the incompetent is located

(c) Exclusiveness of Appointment When a court has appointed a guardian of an incompetent's estate pursuant to subsection (a) or (b) no other court shall appoint a similar guardian for the incompetent within the Commonwealth

Section 303 Nonresident Guardian When a guardian is or becomes a nonresident of the Commonwealth the acceptance of his appointment or the act of becoming a nonresident as the case may be shall constitute the Secretary of the Commonwealth his attorney-in-fact upon whom service of process and notices may be made as to all causes of action relating to the incompetent's estate

B Bond

Section 311 Necessity Form and Amount Except as hereinafter provided every guardian of the estate of an incompetent shall execute and file a bond which shall be in the name of the Commonwealth with sufficient surety in such amount as the court considers necessary having regard to the value of the personal estate which will come into the control of the guardian and conditioned in the following form

(1) When One Guardian The condition of this obligation is that if the said guardian shall well and truly administer the estate according to law this obligation shall be void but otherwise it shall remain in force

(2) When Two or More Guardians The condition of this obligation is that if the said guardians or any of them shall well and truly administer the estate according to law this obligation shall be void as to the guardian or guardians who shall so administer the estate but otherwise it shall remain in force

Section 312 Fiduciary Estate The court in its discretion upon the application of any party in interest in addition to any bond required for the incompetent's individual estate may require a separate bond in the name of the Commonwealth with sufficient surety in such amount as the court shall consider necessary for the protection of the parties in interest in an estate of which the incompetent is a fiduciary and conditioned in the following form

(1) When One Guardian The condition of this obligation is that if the said guardian shall well and truly account for property held by the incompetent as fiduciary according to law this obligation shall be void but otherwise it shall remain in force

(2) When Two or More Guardians The condition of this obligation is that if the said guardians or any of them shall well and truly account for property held by the incompetent as fiduciary according to law this obligation shall be void as to the guardian or guardians who shall so account but otherwise it shall remain in force

Section 313 When Bond Not Required

(a) Corporate Guardian No bond shall be required if a bank and trust company or of a trust company incorporated in the Commonwealth or of a national bank having its principal office in the Commonwealth unless the court for cause shown deems it advisable

(b) Nonresident Corporation A nonresident corpration or a national bank having its principal office out of the Commonwealth otherwise qualified to act as guardian in the discretion of the court may be excused from giving bond

(c) Other Cases In all other cases the court may dispense with the requirement of a bond when for cause shown it finds that no bond is necessary

Section 314 Requiring or Changing Amount of Bond The court for cause shown and after such notice if any as it shall direct may require a surety bond or increase or decrease the amount of an existing bond or require more or less security therefor

C Removal and Discharge

Section 321 Grounds for Removal The court shall have exclusive power to remove a guardian when

(1) He is wasting or mismanaging the estate is or is likely to become insolvent or has failed to perform any duty imposed by law or

(2) He has been adjudged incompetent or

(3) He has become unable to discharge the duties of his office because of sickness or physical or metal incapacity and his disability is likely to continue to the injury of the estate or

(4) He has removed from the Commonwealth or has ceased to have a known place of residence therein without furnishing such security or additional security as the court shall direct or

(5) For any other reason the interests of the estate are likely to be jeopardized by his continuance in office or

(6) The incompetent of whose estate he is guardian is adjudged competent

Section 322 Procedure for and Effect of Removal The court on its own motion may and on the petition of any party in interest alleging adequate ground for removal shall order the guardian to appear and show cause why he should not be removed or when necessary to protect the rights of creditors or parties in interest may summarily remove him Upon removal the court may appoint a substituted guardian and may by summary attachment of the person or other appropriate orders provide for the security and delivery of the assets of the estate together with all books accounts and papers relating thereto Any guardian summarily removed under the provisions of this section may apply by petition to have the decree of removal vacated and to be reinstated and if the court shall vacate the decree of removal and reinstate him it shall thereupon make any orders which may be appropriate to accomplish the reinstatement

Section 323 Adjudication of Competency The court upon petition and after such notice as it shall direct may find after a hearing at which good cause is shown that a person previously adjudged incompetent has become competent

Section 324 Discharge of Guardian and Surety After confirmation of his final account and distribution to the parties entitled a guardian and his surety may be discharged by the court from future liability

D Evidence

Section 331 Evidence of Mental Condition In any hearing relating to the mental condition of a person who competency is in question the deposition of or sworn statement by a superintendent manager physician or psychiatrist of any State-owned mental hospital or veterans

administration hospital shall be admissible in evidence as to the condition of an inmate of such hospital in lieu of his appearance and testimony unless by special order the courts directs his appearance and testimony in person

ARTICLE IV

GUARIAN POWERS DUTIES AND LIABILITIES

A In General

Section 401 Possession of Real and Personal Property The guardian of the estate of an incompetent until it is distributed or sold shall have the right to and shall take possession of maintain and administer each real and personal asset of the incompetent collect the rents and income from it and make all reasonable expenditures necessary to preserve it He shall also have the right to maintain or defend any action with respect to such real or personal property of the incompetent

Section 402 Inventory Every guardian within three months after real or personal estate of his ward comes into his possession shall verify by oath and file with the clerk (1) an inventory of such personal estate (2) a statement of such real estate and (3) a statement of any real or personal estate which he expects to acquire thereafter

Section 403 Abandonment of Property When any property is so burdensome or is so encumbered or is in such condition that it is of no value to the incompetent the court may authorize the guardian to abandon it

Section 404 Liability Insurance The guardian at the expense of the estate may protect himself his employes and the incompetent by insurance from liability to third persons arising from the administration of the estate

Section 405 Continuation of Business The court aided by the report of a master if necessary may authorize the guardian to continue any business of the incompetent The order may be with or without notice If prior notice is not given to all persons residing within the Commonwealth who are sui juris and would be entitled to share in the estate of the incompetent if he died intestate at that time and to any other persons directed by the court it shall be given to all such persons within five days after the order or within such extended time as the court for cause shown shall allow Any person to whom notice is required to be given may at any time petition the court to revoke or modify the order The order may provide

(1) For the conduct of the business by the guardian alone or jointly with others or as a corporation to be formed

(2) The extent of the liability of the estate or any part thereof or of the guardian for obligations incurred in the continuation of the business

(3) Whether liabilities incurred in the conduct of the business are to be chargeable solely to the part of the estate set aside for use in the business or to the estate as a whole

(4) The period of time the business may be conducted and

(5) Such other regulations including accountings as the court shall deem advisable

Section 406 Incorporation of Business After notice to all persons residing within the Commonwealth who are sui juris and would be entitled to share in the estate of the incompetent if he died intestate at that time and to any other persons directed by the court the court aided by the report of a master if necessary may authorize the guardian alone or jointly with others to organize a corporation to carry on a business held in the estate whether the business is owned solely by the incompetent or with others and may contribute for stock of the corporation as capital all or part of the property of the estate which was invested in the business

Section 407 Claims Against Co-Guardian When one of two or more guardians shall be individually liable to the incompetent the other or others shall take any legal action against him necessary to protect the incompetent

Section 408 Proceeding Against Guardian Any proceeding may be brought against a guardian or the surety on his bond in the county of the court having jurisdiction of the incompetent's estate and if the guardian or surety does not reside in that county process may be served on either of them personally or as follows

(1) When Resident of Another County By a duly deputized sheriff of any other county of the Commonwealth in which he shall be found

(2) When a Nonresident of the Commonwealth By the sheriff of the county of the court having jurisdiction of the estate sending by registered mail return receipt requested a true and attested copy of the process to the Secretary of the Commonwealth accompanied by the fee prescribed by law and to the guardian or surety at his last known address with an endorsement thereon showing that service has been so made upon the Secretary of the Commonwealth

Section 409 Revival of Judgment Against Guardian When the incompetent holds a judgment which is a lien on real estate owned by the guardian individually any party in interest may suggest his interest in the judgment upon the record thereof and bring an appropriate action to revive it and to continue its lien Any judgment so revived shall remain for the use of all parties in interest

Section 410 Liability of Guardian on Contracts Unless he expressly contracts otherwise in writing a guardian shall not be personally liable on any written contract hereafter entered into which is within his authority as guardian and discloses that he is contracting as guardian of a named incompetent Any action on such a contract shall be brought against the guardian in his fiduciary capacity only or against his successor in such capacity and execution upon any judgment obtained therein shall be had only against property of the incompetent

Section 411 Investments The powers and duties of guardians in making retaining and managing investments shall be as prescribed by law generally for fiduciaries

Section 412 Power of Attorney A guardian may convey real estate transfer title to personal estate or perform any other act of administration by an attorney or attorneys-in-fact provided that this shall not authorize him to delegate the exercise of any discretionary power

Section 413 Voting Stock by Proxy The guardians or a majority of them either in person or by proxy may vote stock owned by the incompetent

Section 414 Nominee Registration Corporate Fiduciary as Attorney-in-Fact

(a) Corporate Guardian A bank and trust company or a trust company incorporated in the Commonwealth or a national bank with trust powers having its principal office in the Commonwealth may keep investments or fractional interests in investments held by it either as sole guardian or as co-guardian in the name or names of the guardians or in the name of a nominee of the corporate guardian Provided That the consent thereto of the co-guardians if any is obtained And provided further That all such investments shall be so designated upon the records of the corporate guardian that the estate to which they belong shall appear clearly at all times

(b) Individual Guardian A guardian serving jointly with a bank and trust company or a trust company incorporated in the Commonwealth or with a national bank having its principal office in the Commonwealth may authorize or consent to the corporate guardian having exclusive custody of the assets of the incompetent and to the holding of such investments in the name of a nominee of such corporate guardian to the same extent and subject to the same requirements that the corporate guardian if it were the sole guardian would be authorized to hold such investments in the name of its nominee

(c) Corporate Fiduciary As Attorney-in-Fact An individual guardian may employ a bank and trust company or a trust company incorporated in the Commonwealth or a national bank with trust powers having its principal office in the Commonwealth to act as his attorney-in-fact in the performance of ministerial duties including the safe-keeping of estate assets Such attorney-in-fact when so acting may be authorized to hold such investments in the name of its nominee to the same extent and subject

to the same requirements that such attorney-in-fact if it were the guardian would be authorized to hold such investments in the name of its nominee

Section 415 Acceptance of Deed in Lieu of Foreclosure The guardian may take for the incompetent from the owner of property encumbered by a mortgage owned by the incompetent a deed in lieu of foreclosure in which event the real estate shall be considered personalty to the same extent as though title had been acquired by foreclosure at sheriff's sale

Section 416 Compromise of Controversies Whenever it shall be proposed to compromise or settle any claim whether in suit or not by or against an incompetent or to compromise or settle any question or dispute concerning property of the incompetent the court on petition of the guardian or by any party in interest setting forth all the facts and circumstances and after such notice as the court shall direct aided if necessary by the report of a master may enter a decree authorizing the compromise or settlement to be made

Section 417 When Guardian Dies or Becomes Incompetent The fiduciary of the estate of a deceased or incompetent guardian by reason of such position shall not succeed to the administration of or have the right to possess any asset of an incompetent which was being administered by the deceased or incompetent guardian except to protect it pending its delivery to the person entitled to it The account of the deceased or incompetent guardian may be filed by he fiduciary of his estate and it shall be filed if the court shall so direct

Section 418 Surviving or Remaining Guardians Surviving or remaining guardians shall have all the powers of the original guardians

Section 419 Disagreement Among Guardians

(a) Decision of Majority If a dispute shall arise among guardians the decision of the majority shall control A dissenting guardian shall join with the majority to carry out a majority decision requiring affirmative action and may be ordered todo so by the court A dissenting guardian shall not be liable for the consequences of any majority decision even though he joins in carrying it out if his dissent is expressed promptly to all the other co-guardians Provided That liability for failure to join in administering the estate or to prevent a breach of trust may not be thus avoided

(b) When No Majority When a dispute shall arise among guardians as to the exercise or non-exercise of any of their powers and there shall be no agreement of a majority of them the court upon petition filed by any of the guardians or by any party in interest aided if necessary by the report of a master in its dicretion may direct the exercise or non-exercise of the power as the court shall deem for the best interest of the incompetent

Section 420 Inherent Powers and Duties Except as otherwise provided in this act nothing in this act shall be construed to limit the inherent powers and duties of a guardian

B Sales Mortgages Leases Options and Exchanges

Section 441 Power to Sell Personal Property A guardian may sell at public or private sale any personal property of the incompetent

Section 442 Power to Lease A guardian may lease any real or personal property of the incompetent for a term not exceeding five years after its execution

Section 443 Order of Court Whenever the court finds it to be for the best interests of the incompetent a guardian may for any purpose of administration or distribution and on the terms with the security and after the notice directed by the court (1) sell at public or private sale pledge mortgage lease or exchange any real or personal property of the incompetent (2) grant an option for the sale lease or exchange of any such property (3) join with the spouse of the incompetent in the performance of any of the foregoing acts with respect to property held by the entireties or (4) release the right of the incompetent in the property of his spouse and join in the deed of the spouse in behalf of the incompetent

Section 444 Restraint of Sale The court on its own motion or upon application of anyone in behalf of the incompetent in its discretion may restrain a guardian from selling or carrying out any contract of sale of any personal property of the incompetent The order may be conditioned upon the applicant giving bond for the protection of the incompetent's estate

Section 445 Purchase by Guardian A guardian in his individual capacity may bid for purchase take a mortgage on lease or take by exchange real or personal property belonging to the incompetent subject however to the approval of the court and under such terms and conditions and after such reasonable notice to relatives of the incompetent or to persons having an interest in the welfare of the incompetent as the court shall direct When the purchaser mortgagee or lessee is the sole guardian the court may make an order directing its clerk to execute a deed or other appropriate instrument to him

Section 446 Title of Purchaser If the guardian has given the bond if any reqiured in accordance with this act any sale pledge mortgage or exchnage by him whether pursuant to a decree or to a power under this act shall pass the full title of the incompetent therein free of any right of his spouse unless otherwise specified Persons dealing with the guardian shall have no obligation to see to the proper application of the cash or other assets given in exchange for the property of the incompetent Any sale or exchange by a guardian pursuant to a decree under section 443 shall have the effect of a judicial sale as to the discharge of liens but the court may decree a sale or exchange freed and discharged from the lien of any mortgage otherwise preserved from discharge by existing law if the holder of such mortgage shall consent by writing filed in the proceeding No such sale mortgage exchange or conveyance shall be prejudiced by the subsequent removal of the guardian

Section 447 Collateral Attack No decree entered pursuant to this act shall be subject to collateral attack on account of any irregularity if the court which entered it had jurisdiction to do so

Section 448 Record of Proceedings County Where Real Estate Lies Certified copies of proceedings of any court of the Commonwealth relating to or affecting the real estate of any incompetent may be recorded in the office of the recorder of deeds in any county in which the real estate lies

ARTICLE V

PROPERTY RIGHTS AND OBLIGATIONS OF ESTATES OF INCOMPETENTS

A Control of Actions

Section 501 Substitution of Guardian in Pending Action or Proceedings

(a) Voluntary Substitution The guardian of the estate of an incompetent party to a pending action or proceeding in the orphans' court may become a party thereto by filing of record a statement of the material facts on which the right to substitution is based

(b) Compulsory Substitution If the guardian does not voluntarily become a party the clerk upon the praecipe of an adverse party setting forth the material facts shall issue a citation upon the guardian to show cause why be should not be substituted as a party

(c) Status of Guardian Continuance If the guardian voluntarily becomes a party to the action or proceeding or if the citation upon him is made absolute he shall have all the rights and liabilities of a party to the action or proceeding The court may order such continuances and extenisons as may be necessary to afford him a reasonable opportunity to appear and prosecute or defend the action or proceeding

Section 502 Death or Removal of Guardian An action or proceeding in the orphans' court to which a guardian is a party is not abated by his death or resignation or by the termination of his authority The successor of the guardian may be substituted in the action or proceeding in the same manner as though the incompetent were a party

B Claims Rights of Creditors

Section 511 Effect of Determination of Incompetency An incompetent shall be incapable of making any contract or gift or any instrument in writing after he is ad-

judged incompetent and before he is adjudged to have regained his competency This section shall not impair the interest in real estate acquired by a bona fide grantee of or bona fide holder of a lien on real estate in a county other than that in which the decree establishing the incompetency is entered unless the decree or a duplicate original or cetrified copy thereof is recorded in the office of the recorder of deeds in the county in which the real estate lies before the recording or entering of the instrument or lien under which the grantee or lienholder claims

Section 512 Specific Performance of Contracts

(a) Application to Court If any person makes a legally binding agreement to purchase or sell real or personal estate and is adjudged incompetent before its consummation his guardian shall have the power to consummate it but if he does not do so the court on the application of any party in interest and after such notice and with such security if any as it may direct in its discretion may order specific performance of the agreement if it would have been enforced specifically had their been no adjudication of incompetency

(b) Execution and Effect of Deed or Transfer Any necessary deed or transfer shall be executed by the guardian or by such other person as the court shall direct The title of any purchaser under an agreement in which the incompetent was the vendor shall be the same as though the incompetent had conveyed or transferred such property while competent

(c) Indexing in Judgment Index When any petition for specific performance of an agreement to purchase or sell real estate is filed the prothonotary of the court of common pleas of the county where the real estate or any part of it lies upon the receipt of a certificate of such fact by the clerk of the court where the petition was filed shall enter the petition upon the judgment index against the defendants and shall certify it as lis pendens in any certificate of search which he is required to make by virtue of his office

Section 513 Notice to Commonwealth and Political Subdivisions When the Commonwealth or a political subdivision thereof has a claim for maintaining an incompetent in an institution the guardian within three months of his appointment shall give notice thereof to the Department of Revenue or to the proper officer of such political subdivision as the case may be

ARTICLE VI

ACCOUNTS AUDITS REVIEWS DISTRIBUTION RIGHTS OF INCOMPETENT AND DISTRIBUTEES

A Accounts

Section 601 Accounting Required A guardian shall file an account of his administration of real and personal property promptly at the termination of his guardianship or at such earlier time or times as shall be directed or authorized by the court

Section 602 Where Filed All accounts of guardians shall be filed in the office of the clerk

Section 603 Notice to Parties in Interest The guardian shall give written notice of the filing of his account and of its call for audit or confirmation to the former ward if he has been declared competent and otherwise to his succeeding guardian or personal representative and to such other persons as the court by general rule or special order shall direct

B Audits

Section 611 Audits in Counties Having Separate Orphans' Court in any county having a separate orphans' court the account of a guardian shall be examined and audited by the court without expense to the parties except when all parties in interest in a pending proceeding shall nominate an auditor whom the court may in its discretion appoint

Section 612 Audits in Counties Having No Separate Orphans' Court In any county having no separate orphans' court the account of a guardian shall be confirmed by the court or by the clerk as local rules shall prescribe if no objections are presented within a time fixed by general rule of court If any party in interest shall object to the account or shall request its reference to an auditor the court in its discretion may appoint an auditor

Section 613 Recognition of Claims Upon the adult of the account of the guardian of a person who has died during incompetency the auditing judge or auditor passing on the account shall not pass upon any claims against the estate of the incompetent other than necessary administration expenses including compensation of the guardian and his attorney All claims remaining unpaid at the incompetent's death shall be presented to the personal representative

Section 614 Statement of Proposed Distribution A guardian filing an account shall file a statement of proposed distribution or a request that distribution be determined by the court or by an auditor as local rules may prescribe The statement of proposed distribution shall be in such form and such notice thereof shall be given by advertisement or otherwise and objections thereto may be made as local rules prescribe

Section 615 Confirmation of Account and Approval of Proposed Distribution No account shall be confirmed or statement of proposed distribution approved until an adjudication or a decree of distribution is filed in conformity with local rules by the court or by the clerk of the court expressly confirming the account or approving the statement of proposed distribution and specifying or indicating by reference to the statement of proposed distribution the names of the persons to whom the balance available for distribution is awarded and the amount or share awarded to each

C Review

Section 621 Rehearing Relief Granted If any party in interest shall within five years after the final confirmation of any account of a guardian file a petition to review any part of the account or of an auditor's report or of the adjudication or of any decree of distribution setting forth specifically alleged errors therein the court shall give such relief as equity and justice shall require Provided That this section shall not authorize review as to any property distributed by the guardian in accordance with a decree of court before the filing of the petition The court or master considering the petition may include in his adjudication or report findings of fact and of law as to the entire controversy in pursuance of which a final order may be made

D Distribution

Section 631 Award Upon Final Confirmation of Account

(a) Guardian's Account A guardian shall be relieved of liability with respect to all real and personal estate distributed in conformity with a decree of court or in accordance with A rule of court after confirmation of an account

(b) Account of Personal Representative of Deceased Incompetent A guardian shall be relieved of liability with respect to all real and personal estate distributed by him to the personal representative of a deceased incompetent and thereafter distributed by the personal representative in conformity with a decree of court or in accordance with A rule of court upon an accounting of such personal representative and confirmation thereof

Section 632 Recording and Registering Decrees Awarding Real Estate A certified copy of every adjudication or decree awarding real estate or an appropriate excerpt from either of them may be recorded at the expense of the estate in the deed book in the office of the recorder of deeds of each county where the real estate so awarded lies and if recorded shall be indexed by the recorder in the grantor's index under the name of the incompetent and in the grantee's indexed under the name of the distributee and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate in the county Provided That no adjudication or decree awarding real estate subject to the payment of any sum by the distributee shall be rcecorded or registered unless there is offered for recording concurrently therewith written evidence of the payment of such sum

E Rights of Incompetent and Distributees

Section 641 Liability of Guardian for Interest A guardian who has committed a breach of duty with respect to estate assets shall in the discretion of the court be liable for interest not exceeding the legal rate on such assets

Section 642 Transcripts of Balances Due by Guardian (a) Filing in Common Pleas The prothonotary of any court of common pleas shall on demand of any party in interest file and docket a certified transcript or extract from the record showing that an orphans' court has adjudged an amount to be due by a guardian and such transcript or extract shall constitute a judgment against the guardian from the time of its filing with the same effect as if it had been obtained in an action in the court of comomn pleas If the amount adjudged to be due by the guardian shall be increased or decreased on appeal the prothonotary shall if the decree of the appellate court is certified to him change his records accordingly and if the appellate court has increased the amount the excess shall constitute a judgment against the guardian from the time when the records are so changed

(b) Satisfaction and Discharge If the orphans' court shall order the guardian to be relieved from any such judgment the prothonotary shall on demand of any party in interest enter on his records a certified copy of such order which shall operate as a satisfaction of the judgment

Section 643 Disposition of Trust Income Except as otherwise provided by the trust instrument the trustees of an inter vivos or testamentary trust with the approval of the court having jurisdiction of the trust may pay income distributable to an incompetent beneficiary for whose estate no guardian has been appointed directly to the incompetent or expend and apply it for his care and maintenance or the care maintenance and education of his dependents

Section 644 Distributions of Income and Principal During Incompetency All income received by a guardian of the estate of an incompetent in the exercise of a reasonable discretion may be expended in the care and maintenance of the incompetent without the necessity of court approval The court for cause shown may authorize or direct the payment or application of any or all of the income or principal of the estate of an incompetent for the care maintenance or education of the incompetent his spouse children or those for whom he was making such provision before his incompetency or for the reasonable funeral expenses of the incompetent's spouse child or indigent parent In proper cases the court may order payment of amounts directly to the incompetent for his maintenance or for incidental expenses and may ratify payments made for these purposes

Article VII

Foreign Guardians

A Powers and Duties

Section 701 In General A foreign guardian may institute proceedings in the Commonwealth (subject to the conditions and limitations imposed on nonresident suitors generally) and may exercise all the other powers of a local guardian Except in the case of powers with respect to securities for which special provision is made in section 702 the maintenance of a proceeding or the exercise of any other power by a foreign guardian shall be subject to the following additional conditions and limitations

(1) Copy of Appointment The foreign guardian shall file with the register of the county where the power is to be exercised or the proceeding is instituted or the property concerning which the power is to be exercised is located an exemplified copy of his appointment or other qualification in the foreign jurisdiction

(2) Affidavit The foreign guardian shall execute and file an affidavit with the register of said county stating that after diligent search and inquiry the estate of which he is guardian is not to his knowledge or so far as he has been able to discover indebted to any person in the Commonwealth and that he will not exercise any power which he would not be permitted to exercise in the jurisdiction of his appointment The affidavit shall be attached to the copy of appointment

(3) Taxes When the foreign guardian exercises a power to sell or mortgage any Pennsylvania real estate all taxes due thereon to the Commonwealth or to any subdivision thereof must be paid or provided for

Section 702 Security Transfers When there is no guardianship in the Commonwealth a foreign guardian upon submission of a certificate of his appointment shall have all the powers of a similar local guardian with respect to stock bonds and other securities of a Pennsylvania corporation of a federal corporation located in Pennsylvania and shall not be required to comply with the conditions and limitations of section 701

Section 703 Service of Process The acceptance by a foreign guardian of the privilege extended by the laws of the Commonwealth of exercising any of his powers within the Commonwealth shall constitute the Secretary of the Commonwealth his attorney-in-fact upon whom service of process and notices may be made in any suit or proceeding instituted in the courts of the Commonwealth arising out of or by reason of the exercise of any of his powers or the performance or nonperformance of any of his duties as such fiduciary

Section 704 Proof of Authority in Court Proceedings Upon commencing any proceeding in any court of the Commonwealth the foreign guardian in addition to the requirements of section 701 shall file with the court in which the proceeding is commenced an exemplified copy of his official bond if he has given a bond If the court believes that he should furnish security or additional security in the Commonwealth or in the domiciliary jurisdiction it may at any time order the action or proceeding stayed until sufficient security is furnished

Section 705 Effect of Local Proceedings No person who before receiving actual notice of local administration or of application therefor has changed his position by relying on the powers granted to foreign guardians by this act shall be prejudiced by reason of the application for or grant of local administration

B Distribution to Foreign Fiduciaries

Section 711 To Foreign Personal Representative When a share of an incompetent's estate administered in the Commonwealth is distributable to a deceased nonresident creditor or other distributee the court may award it to his domiciliary personal representative or to some other person performing the function of a personal representative unless it shall appear that the rights of any resident of the Commonwealth may be adversely affected or the court shall determine that for any reason ancillary administration within the Commonwealth is advisable

Section 712 To Foreign Trustees Guardian or Committee When a share of an incompetent's estate administered in the Commonwealth is distributable to a nonresident minor a trustee subject to the jurisdiction of a foreign court or a nonresident incompetent the court may award it to the guardian or committee of the nonresident appointed in the foreign jurisdiction or to such trustee Provided That the court shall be satisfied that adequate security or other protection has been provided in the domiciliary jurisdiction by the domiciliary law for the protection of the persons beneficially interested in the share so awarded

C Transfer of Administration

Section 721 Award to Foreign Guardian When Incompetent Becomes a Nonresident When the incompetent for whose estate a guardian has been appointed by the court is or becomes a nonresident of the Commonwealth the court upon satisfactory proof that it will be for the best interests of the incompetent and that no rights of a resident of the Commonwealth will be adversely affected and that removal of the property will not conflict with any limitations upon the right of the incompetent to such property may direct the locally appointed guardian to transfer the assets of the incompetent within his control to a duly qualified guardian or guardians in the jurisdiction where the incompetent resides

ARTICLE VIII

REPEALER

Section 801 (a) Repeal The act of June 28, 1951 (P. L. 612) known as the "Incompetents' Estates Act of 1951" and its amendments are repealed except as to estates of incompetents of which a Pennsylvania court of common pleas has acquired jurisdiction before the effective date of this act

(b) Saving Clause This act shall not repeal or modify any of the provisions of the following acts or parts of acts or any of their amendments

(1) The act of April 11, 1866 (P. L. 780) entitled "An act authorizing persons whose wives or husbands are non compos mentis to sell mortgage lease for years and convey upon ground rent real estate held in their own right"

(2) The act of April 6, 1921 (P. L. 99) entitled "An act relating to the jurisdiction powers and procedure of the court of common please as to sale mortgage conveyance upon ground rent and lease for years of real estate where the legal title is held by a married person whose spouse is an habitual drunkard and providing for the disposition of the proceeds thereof"

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 697, as follows:

An Act amending the act of April 18, 1949 (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates' and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" revising and changing provisions relating to first complete advertisement of the grant of letters payment of accrued pensions without letters amount of estates distributed on petition family exemptions place for grant of letters inventory and appraisement and objections thereto claims against decedents against personal representatives and against decedents' property awards to nonresident beneficiaries presumption of release or extinguishment amount of minors' estates administered without guardian and exercise of powers by foreign fiduciaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 102 act of April 18, 1949 (P. L. 512) known as the "Fiduciaries Act of 1949" is amended by adding after clause (7) a new clause to read

Section 102 Definitions The following words when used in this act unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

* * *

(8) "First complete advertisement of the grant of letters" in counties having no legal publication means the first of the three times that the grant of letters is advertised in a newspaper and in counties having a legal publication it means when it has been advertised on at least one occasion in both the newspaper and in the legal publication

Section 2 Section 201 202 211 301 the heading of Article IV sections 401 402 and 403 of the act are amended to read

Section 201 Payment of Wages [or] Salary or Pension to Family Any employer of a person dying domiciled in the Commonwealth at any time after the death of the employee whether or not a personal representative has been appointed may pay wages [or] salary or any accrued pension due the deceased in an amount not exceeding two hundred and fifty dollars due to the deceased employee to the spouse any child the father or mother or any sister or brother (preference being given in the order named) of the deceased employee Any employer making such a payment shall be released to the same extent as if payment had been made to a duly appointed personal representative of the decedent and he shall not be required to see to the application thereof Any person to whom payment is made shall be answerable therefor to any one prejudiced by an improper distribution

Section 202 Settlement of Small Estates on Petition When any person dies domiciled in the Commonwealth owning property (exclusive of real estate and of wages [or] salary or any accrued pension payable under section 201 but including personal property claimed as the family exemption) of a gross value not exceeding [one thousand] fifteen hundred dollars the orphans' court of the county wherein the decedent was domiciled at the time of his death upon petition of any party in interest in its discretion with or without appraisement and with such notice as the court shall direct and whether or not letters have been issued or a will probated may direct distribution of the property (including wages [or] salary or any accrued pensions not paid under section 201) to the parties entitled thereto The decree of distribution so made shall constitute sufficient authority to all transfer agents registrars and others dealing with the property of the estate to recognize the persons named therein as entitled to receive the property to be distributed without administration and shall in all respects have the same effect as a decree of distribution after an accounting by a personal representative Within one year after such a decree of distribution has been made any party in interest may file a petition to revoke it because an improper distribution has been ordered If the court shall find that an improper distribution has been ordered it shall revoke the decree and shall direct restitution as equity and justice shall require

Section 211 When Allowable The spouse of any decedent dying domiciled in the Commonwealth and if there be no spouse or if he has forfeited his rights then such children as [form a part of the decedent's] are members of the same household as the decedent may retain or claim as an exemption [and as a reasonable requirement for support during the settlement of the estate] either real or personal property or both not theretofore sold by the

personal representative to the value of seven hundred and fifty dollars The surviving husband or wife shall be a competent witness as to all matters pertinent to the issue of forfeiture of the right to the exemption

Section 301 Proper County Letters testamentary or of administration on the estate of a decedent domiciled in the Commonwealth at the time of his death shall be granted only by the register of the county where the decedent had his last family or principal residence If the decedent had no such domicile in the Commonwealth lettters testamentary or of administration may be granted by the register of any county wherein property of the estate shall be located and when granted shall be exclusive throughout the Commonwealth If the decedent had no such domicile in the Commonwealth and had no property located therein and service of process is to be made in the Commonwealth upon his personal representative as authorized by law then letters testamentary or of administration on his estate may be granted by the register of any county of the Commonwealth and when granted shall be exclusive throughout the Commonwealth

Article IV

Inventory [and Appraisement]

Section 401 Duty of Personal Representative

(a) General Assets Within three months after his appointment every personal representative shall file with the register an inventory [and appraisement] vertified by his affidavit of all real and personal estate of the decedent except real estate outside of the Commonwealth Provided That an ancillary personal representative shall include therein only assets for which he is responsible

(b) Real Estate Outside of Commonwealth The inventory shall include at the end a memorandum of real estate outside of the Commonwealth The memorandum at the election of the personal representative may indicate the value of each item of real estate included therein but the values so fixed shall not be extended into the total of the inventory or included as real estate in subsequent accountings

Section 402 Valuations [Appraisers] The personal representative shall determine and state in figures opposite each item of the inventory its fair value as of the date of the decedent's death [based upon a just appraisement of each item made by two or more appraisers who shall be sworn well and truly and without prejudice or partiality to appraise the assets of the estate to the best of their skill and judgment]

Section 403 Supplemental Inventory Whenever any property not included in the inventory [and appraisement] comes to the knowledge of the personal representative he shall file within thirty days of its discovery a supplemental inventory [and appraisement] thereof with the register

Section 3 Article IV of the act is amended by adding after section 404 a new section to read

Section 405 Objections to Inventory Objections to the inventory may be made by any party in interest at any time up to and including the time fixed by rule of court for making objections to the first account of the personal representative Such objections in the discretion of the court may be heard at the audit of the account Objections to the inventory also may be made in the form of objections to the account

Section 4 Sections 613 and 731 of the act are amended to read

Section 613 Statutes of Limitations Claims Not Barred at Death The death of a person shall not stop the running of the statute of limitations applicable to any claim against him but a claim which otherwise would be barred within one year after the death of the decedent shall not be barred until the expiration of one year after his death Nothing in this section shall be construed to shorten the period which would have been allowed by any applicable statute of limitations if the decedent had continued to live

Section 731 Estates Not Exceeding [One Thousand] Fifteen Hundred Dollars When the gross real and personal estate of a decedent does not exceed the value of [one thousand] fifteen hundred dollars the personal representative after the expiration of one year from the date of the first complete advertisement of the grant of letters may present his petition to the court with an annexed account showing the administration and proper distribution of the estate Thereupon the court upon satisfactory proof of notice to all known parties in interest may order the discharge of the personal representative and his sureties from future liability without the expense of proceedings as in a formal account The court may discharge only the surety from future liability and may allow the personal representative to continue without surety upon condition that no further assets shall come into the possession of the personal representative until he files another bond with sufficient surety as required by the register

Section 5 Section 732 of the act amended August 17, 1951 (P. L. 1258) is amended to read

Section 732 At Risk of Personal Representative

(a) Rights of Claimants Against Personal Representative A personal representative at his own risk and without the filing audit or confirmation of his account may distribute real or personal property [or real estate] and such distribution shall be without liability to any claimant against the decedent who has not given notice of his claim as provided by this act within one year after the first complete advertisement of the grant of letters to [him] such personal representatives or thereafter but prior to such distribution [Except on liens of record existing at the time of death no claimant who has not given such notice shall have any claim as to the property so distributed]

(b) Rights of Claimants Against Distributed Property

(1) Personal Property No claimant shall have any claim against personal property distributed by a personal representative at his own risk pursuant to subsection (a) hereof unless such claimant has given notice of his claim to the personal representative as provided by this act within one year after the first complete advertisement of the grant of letters or thereafter but prior to such distribution

(2) Real Property No claimant shall have any claim against real property conveyed by a personal representative in distribution at his own risk pursuant to subsection (a) hereof unless such claimant within one year after the decedent's death files a written notice of his claim with the clerk Such claim against real property shall expire at the end of five years after the decedent's death unless within that time the personal representative files an account or the claimant files a petition to compel an accounting

(3) Liens and Charges Existing at Death Nothing in this section shall be construed as affecting any lien or charge which existed at the time of the decedent's death on his real or personal property

Section 6 Article VII of the act is amended by adding after section 736 a new section to read

Section 737 Award to Nonresident Beneficiary When the court believes that a beneficiary who is not a resident of the United States its territories or possessions would not have the actual use enjoyment or control of the money or other property distributable to him the court shall have the power and authority to direct the personal representative (1) to make only such payments to the beneficiary as the court directs or (2) to convert the distributive share into cash and pay it through the Department of Revenue into the State Treasury without escheat to be held for the benefit of such beneficiary The court which directed payment to the State Treasury upon petition of the person entitled to such funds and upon being satisfied that petitioner will have the actual possession benefit use enjoyment or control thereof shall enter a decree directing the Board of Finance and Revenue to make repayment with interest at two per centum per annum from the date the money was paid into the State Treasury to the date of repayment

Section 7 Subsection (a) of section 804 section 983 and the first paragraph of section 1001 of the act are amended to read

Section 804 Presumption of Payment Release or Extinguishment

(a) Lapse of Twenty Years When (1) for twenty years after the same or any part thereof becomes due no payment has been made on account of a dower recognizance legacy annuity instalment or other charge created by will agreement inter vivos trust or court decree upon real property or (2) no proceeding has been brought or no written acknowledgment of the existence thereof or no written promise to pay the same has been made within such period by the owner or owners of the property subject to the charge a release or extinguishment thereof shall be presumed and the charge shall thereafter be irrecoveable

* * *

Section 983 Notice Audits Reviews and Distribution The provisions concerning accounts audits reviews distributions and rights of distributees in trust estates shall be the same as those set forth in this act for the administration of a decedent's estate with regard to the following

ACCOUNTS

(1) Notice to parties in interest as in section 703
(2) Representation of parties in interest as in section 704

AUDITS

(3) Audits in counties having a separate orphans' court as in section 711
(4) Audits in counties having no separate orphans' court as in section 712
(5) Statement of proposed distribution as in section 713
(6) Confirmation of accounts and approval of proposed distribution as in section 714

REVIEWS

(7) Rehearing—Relief granted as in section 721

DISTRIBUTION

(8) Award upon final confirmation of account as in section 733
(9) Distribution in kind as in section 734
(10) Recording and registering decree awarding real estate as in section 736
(10.1) Award to nonresident beneficiary as in section 737

RIGHTS OF DISTRIBUTEES

(11) Liability for interest as in section 754
(12) Transcripts of balances due as in section 755

Section 1001 When Guardian Unnecessary When the entire real and personal estate wherever located of a resident or nonresident minor has a net value of [one thousand] fifteen hundred dollars or less all or any part of it may be received and held or disposed of by the minor or by the parent or other person maintaining the minor without the appointment of a guardian or the entry of security in any of the following circumstances

* * *

Section 8 Subsection (1) of section 1101 of the act amended August 17, 1951 (P. L. 1258) is amended to read

Section 1101 In General A foreign fiduciary may institute proceedings in the Commonwealth (subject to the conditions and limitations imposed on nonresident suitors generally) and may exercise all the other powers of a similar local fiduciary but a foreign personal representative shall have no such power when there is an administration in the Commonwealth Except in the case of powers with respect to securities for which special provision is made in section 1102 the maintenance of a proceeding or the exercise of any other power by a foreign fiduciary shall be subject to the following additional conditions and limitations

(1) Copy of appointment The foreign fiduciary shall file with the register of the county where the power is to be exercised or the proceeding is instituted or the property concerning which the power is to be exercised is located an exemplified copy of his appointment or other qualification in the foreign jurisdiction together with an exemplified copy of the will or other instrument if any in pursuance of which he has been appointed or qualified and when he is an executor administrator cta testamentary trustee or testamentary guardian and wishes to exercise a power [granted by a will] with respect to Pennsylvania real estate the will must be admitted to probate in Pennsylvania as required by law

Section 9 This act shall take effect January 1, 1956

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 698, as follows:

An Act amending the act of May 15 1933 (P L 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and mmunities of such corporations of existent corporotions authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking association private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further providing for authorized investments of savings banks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (i) of clause (3) of subsection C of section 1208 Act of May 15, 1933 (P. L. 624) known as the "Banking Code" amended July 13, 1953 (P. L. 413) is amended to read

Section 1208 Authorized Investments of Savings Banks Not Under Special Charter

* * * * * * *

C A savings bank other than a savings bank organized under a special act of the General Assembly may make such additional investments as are authorized by its articles but it shall not purchase or invest in bonds secured by mortgage upon real property other than such as are expressly authorized by this act nor shall it invest

in the shares of capital of any corporation whatsoever except

* * * * * * *

(3) Preferred stock guaranteed stock and common stock of any other corporation organized under the laws of the United States or of any Commonwealth or State thereof or of the District of Columbia subject to the following conditions

* * * * * * *

(i) When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by a savings bank as herein provided by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporations shall be consolidated so as to ascertain whether the net profit requirements of this clause (3) have been satisfied and the dividend requirements of this clause (3) shall be satisfied bv payment of the required dividends by any predecessor or constituent corporation

Section 2 Paragraph (i) of clause (3) of subsection A of section 1209 of said act amended July 13, 1953 (P. L. 413) is amended to read

Section 1209 Authorized Investments of Special Charter Savings Banks A A savings bank organized under a special act of the General Assembly may make such investments as may be authorized by its articles of incorporation but no such savings bank shall purchase or invest in the shares of capital of any corporation whatsoever except

* * * * * * *

(3) Preferred stock guaranteed stock and common stock of any other corporation organized under the laws of the United States or of any Commonwealth or State thereof or of the District of Columbia subject to the following conditions

* * * * * * *

(i) When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by a savings bank as herein provided by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constitutent corporation shall be consolidated so as to ascertain whether the net profit requirements of this clause (3) have been satisfied and the dividend requirements of this clause (3) shall be satisfied by payment of the required dividends by any predecessor or constituent corporation

Section 3 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisons of the Constitution, and were as follows, viz:

YEAS—48

Bane,	**Flack,**	**McGinnis,**	**Stevenson,**
Barr,	**Fleming,**	**McMenamin,**	**Stiefel,**
Berger,	**Haluska,**	**McPherson, Jr.**	**Taylor,**
Blass,	**Harney,**	**Miller,**	**Van Sant,**
Camiel,	**Holland,**	**Mullin,**	**Wade,**
Chapman,	**Kessler,**	**Pechan,**	**Wagner,**
Davis,	**Kopriver, Jr.**	**Peelor,**	**Watkins,**
Dent,	**Lane,**	**Propert,**	**Watson,**
Derk,	**Madigan,**	**Ruth,**	**Weiner,**
Diehm,	**Mahany,**	**Schmidt,**	**Whalley,**
DiSilvestro,	**Mallery,**	**Scott,**	**Wolfe,**
Donolow,	**McCreesh.**	**Silvert,**	**Yosko,**

NAYS—0

A majority of all the Senators having voted, "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrene.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 734, as follows:

An Act amending the act of June 14 1935 (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax making it unlawful to possess cigarettes upon which the tax has not been paid conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" exempting cigarettes purchased for gratuitous issue to veteran patients in State and State-aided hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) section 3 act of June 14 1935 (P L 341) known as the "Cigarette Tax Act" reenacted and amended May 29 1951 (P. L. 471) is amended to read

Section 3 (a) On and after the effective date of this act it shall be unlawful for any person to continue to engage in or thereafter to begin to engage in the sale of cigarettes at wholesale within this Commonwealth or for any person excepting commissaries ships' stores recognized veterans' organizations purchasing cigarettes for gratuitous issue to veterans patients in State and State-aided hospitals and voluntary unincorporated organizations of military forces personnel operating under regulations promulgated by the Secretary of Defense or departments under his jurisdiction and excepting retail dealers located in veterans' administration hospitals as to sales of cigarettes to patients in said hospitals to continue to engage in or thereafter to begin to engage in the sale of cigarettes at retail within this Commonwealth unless a cigarette permit or permits shall have been issued to him as hereinafter prescribed

* * *

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	**Flack,**	**McGinnis,**	**Stevenson,**
Barr,	**Fleming,**	**McMenamin,**	**Stiefel,**
Berger,	**Haluska,**	**McPherson, Jr.,**	**Taylor,**
Blass,	**Harney,**	**Miller,**	**Van Sant,**
Camiel,	**Holland,**	**Mullin,**	**Wade,**
Chapman,	**Kessler,**	**Pechan,**	**Wagner,**
Davis,	**Kopriver, Jr.,**	**Peelor,**	**Watkins,**
Dent,	**Lane,**	**Propert,**	**Watson,**
Derk,	**Madigan,**	**Ruth,**	**Weiner,**
Diehm,	**Mahany,**	**Schmidt,**	**Whalley,**
DiSilvestro,	**Mallery,**	**Scott,**	**Wolfe,**
Donolow,	**McCreesh,**	**Silvert,**	**Yosko,**

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmation.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 737, as follows:

An Act amending the act of May 2 1929 (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing rooms for use of the American Gold Star Mothers Inc and for certain ladies' auxiliaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 560 and 597 act of May 2 1929 (P. L. 1278) known as "The General County Law" are amended to read

Section 560 Furnishing Rooms for Meetings of Veterans of Certain Wars and [of Sons of Veterans] Other Organizations The board of commissioners may in their discretion upon application therefor furnish to each organization composed of veterans of the Civil War veterans of the Spanish-American War veterans of the War with Germany and Austria veterans of any foreign war [and] sons of veterans and to ladies' auxiliaries of each such organization and to the American Gold Star Mothers Inc a room or rooms in any public building of such county sufficient for the meeting of each of such organizations at least once each month

Section 597 Plan of Hall Special Rooms to Be Provided Such memorial hall shall be in honor of the soldiers sailors and marines from said county who served in the Army and Navy of the United States in any war in which the United States has been or may hereafter be engaged Such memorial halls shall each contain one large assembly room or auditorium for public meetings of the soldiers sailors and marines of such county which may be used also for other public meetings and patriotic gatherings by the consent of the board of control herein provided for Such memorial hall shall also contain rooms for meetings of posts of the Grand Army of the Republic encampments of the Union Veteran Legion commanderies of the Loyal Legion camps of the Sons of Veterans Women's Relief Corps Ladies of the Grand Army of the Republic chapters of the Daughters of the Revolution the American Gold Star Mothers Inc organizations of the Spanish-American War and Philippine Insurrection the American Legion Veterans of Foreign Wars and organizations of veterans of all other wars in which the United States has or may be engaged and also rooms for meetings of ladies' auxiliaries of posts encampments camps and organizations for which rooms for meetings may be continued in the memorial halls and also rooms for such committees of public defense and welfare as may be created by the State or as may be approved by the board of control hereinafter provided for Such memorial halls shall also provide room for the display and preservation of relics and trophies of all wars in which the United States has been or may be engaged photographs paintings and portraits busts and statues of the soldiers sailors and marines of the said counties and mural tablets upon which shall be inscribed the names of such soldiers sailors and marines Such memorial halls shall also contain waiting and rest rooms with lavatories attached

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 738, as follows:

An Act amending the act of July 8 1919 (P. L. 784 No 321) entitled "An act authorizing counties cities and boroughs to furnish rooms in public buildings for meeting places for certain organizations" including certain ladies' auxiliaries and the American Gold Star Mothers Inc within provisions of act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 1 act of July 8 1919 (P. L. 784 No 321) entitled "An act authorizing counties cities and boroughs to furnish rooms in public buildings for meeting places for certain organizations" section 1 repealed in part May 4 1927 (P. L. 519) May 2 1929 (P. L. 1278) and June 23 1931 (P. L. 932) are amended to read

AN ACT

Authorizing counties of the first class and cities [and boroughs] of the first second and second class A to furnish rooms in public buildings for meeting places for certain organizations

Section 1 Be it enacted &c That each county of the first class and each city [and borough] of the first second and second class A may in their discretion upon application therefor furnish to each organization composed of veterans of the Civil War veterans of the Spanish-American War veterans of the War with Germany and Austria veterans of any foreign war [and] sons of veterans to ladies' auxiliaries of each such organization and the American Gold Star Mothers Inc a room or rooms in any public building of such county or city [or borough] sufficient for the meeting of each of such organizations at least once each month

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, vz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 740, as follows:

An Act amending the act of May 22 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" extending civil service preference to veterans of armed conflicts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act of May 22 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" amended June 25 1947 (P. L. 939) is amended to read

An Act

Providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged and in certain cases for the widows and wives of such persons

Section 2 Section 1 of the act is amended to read

Section 1 The word "soldier" as used in this act shall be construed to mean a person who served in the armed forces of the United States or in any women's organization officially connected therewith during any war or armed conflict in which the United States engaged and who has an honorable discharge from such service

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 767, entitled:

An Act amending the act of August 9, 1955, (Act No. 130) entitled "An act relatng to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," extending the powers of the County Planning Commission in counties of the third class subject to action by the county commissioners.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, we, on the Democratic side, have caucused and intend to vote "no" on this bill. I wish to advise the Majority Leader to that effect, in the event he wants to carry this bill over.

BILL OVER IN ORDER

Mr. FLEMING. Mr. President, I ask unanimous consent that Senate Bill No. 767, Printer's No. 360, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 837, as follows:

An Act to further amend of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" increasing the amount of retirement or compensation payments to persons now retired receiving survivor annuities or State compensation under the public school employes' retirement system in conformity with provisions of amendment of section 11 of article 3 of the constitution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection 4 of Section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judical process and providing penalties" as last amended by the acts approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1804) and the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1818) is hereby further amended to read as follows

Superannuation Retirement

Section 14 Retirement for superannuation shall be as follows

* * *

4 Any person sixty-two years of age or older who was a classroom teacher principal supervising principal or superintendent in the public schools of Pennsylvania for

at least twenty years and who separated from school service for any reason prior to the first day of July one thousand nine hundred and nineteen and who was not thereafter engaged in school service except temporarily for not more than two whole school years or any person who was a class-room teacher principal supervising principal or superintendent in the public schools of Pennsylvania for at least fourteen years and who separated from school service because of physical or mental disability prior to the first day of July one thousand nine hundred and nineteen and who still is unable to teach because of such disability shall receive a State compensation equal to one-eightieth of his or her final salary for each year of school service but not less than fifty dollars ($50) per month if such former teacher shall agree in writing and hold himself or herself ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teacher when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interest In the case of a present employe or a new entrant who on the first day of [September one thousand nine hundred forty-nine] March 1956 is in receipt of a disability retirement allowance provided in section 13 or a superannuation retirement allowance as provided in this section in addition to the benefits provided in such sections there shall be provided a further State annuity which shall be equivalent to the amount if any by which such disability retirement allowance or superannuation retirement allowance otherwise payable is less than one thousand two hundred dollars ($1200) where the contributor has forty years or more of credited service in this Commonwealth or if less than forty years of such service then such proportional amount of such one thousand two hundred dollars ($1200) as the years of such credited service bear to forty years In the event that a member is receivng a reduced superannuation retirement allowance because of having elected an option such additional State annuity if any shall be related to the amount of the full retirement allowance he would have received if no option had been elected and in the event that a member when entering upon a superannuation retirement allowance has elected an option providng for a survivor annuity and the member has later died and the survivor beneficiary is in receipt of a survivor annuity then the additional State annuity if any payable to such survivor beneficiary shall be such reduced amount as under the rules is related to the additional State annuity if any which would have been payable to the retired member if such option had not been elected The General Assembly shall from time to time appropriate moneys sufficient to make payments under this subsection Provided That any teacher who is entitled to receive State compensation hereunder and who is receiving a retirement allowance under the provisions of a local teachers' retirement system shall receive from the Commonwealth only the difference between the compensation to which such teacher would otherwise be entitled under the provisions of this subsection and the annual amount received by such teacher from such local teachers' retirement system

Any employe on retirement for superannuation who returns to active school service during the continuation of World War II shall not upon return to retirement for superannuation receive any smaller retirement allowance than that received prior to such return to active school servie

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time and agreed to,

On the question,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	**Flack,**	**McGinnis,**	**Stevenson,**
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	**Mullin,**	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	**Ruth,**	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 838, as follows:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the adminstraton thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for minimum retirement allowances for present beneficiaries and appropriatons for payment of the costs thereof in conformity with provisions of amendment of section 11 of article 3 of the constitution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 13.1 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establish a State employes' retirement system and creating a retirement board for the administration thereof establishng certan funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" added January 19, 1952 (P. L. 2176) is reenated and amended to read

Minimum Allowances for Present Beneficiaries

Section 13.1 (a) Every beneficiary who is receiving either a disability or superannuation reirement allowance under this act as of ninety days after the effective date of this reenacting and amending act shall receive in addition to the benefits otherwise provided by this act a further State annuity which shall be equivalent to the amount if any by which such retirement allowance otherwise payable is less than one thousand two hundred dollars ($1200) annually where the contributor has twenty-five years or more of credited service in this Commonwealth or if less than twenty-five years of such service then such proportional amount of such one thousand two hundred dollars ($1200) as the years of such credited service bear to twenty-five years

If the whole or any portion of such superannuation retirement allowance is based upon membership in the one one hundred-sixtieth (1-160) class then in the calculations relating to the twelve hundred dollar ($1200)

annual minimum an adjustment shall be made as to such superannuation retirement allowance or any portion thereof in the ratio that one one-hundredth (1-100) bears to one one hundred-sixtieth (1-160)

In the event that a beneficiary is receiving a reduced superannuation retirement allowance because of having elected an option such additional State annuity if any shall be related to the amount of the full retirement allowance he would have received if no option had been elected and in the event that a beneficiary when entering upon a superannuation retirement allowance has elected an option providing for a survivor annuity and the beneficiary has later died and the survivor beneficiary is in receipt of a survivor annuity then the additional State annuity if any payable to such survivor beneficary shall be such reduced amount as under the rules is related to the additional State annuity if any which would have been payable to the retired member if such option had not been elected

(b) The General Assembly shall from time to time appropriate moneys sufficient to make payments under this section based on estimates submitted by the board

Section 2 The provisions of this act shall become effective immediately

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for oncurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 914, as follows:

An Act reenacting and amending the act of May 23, 1949 (P. L. 1661) entitled as amended "An act to impose a tax on real estate for public school purposes in school school districts of the first class for current expenses" extending the act to include school districts of the first class A

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of and the act of May 23, 1949 (P. L. 1661) entitled as amended "An act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses" reenacted and amended May 29, 1951 (P. L. 493) are reenacted and amended to read

An Act to impose a tax on real estate for public school purposes in school districts of the first class and of the first class A for current expenses

Section 1 The Board of Public Education in school districts of the first class and of the first class A shall levy annually on or after the second Monday of November and before the first Monday of December next following a tax of not less than one or more than one and one-half mills on each dollar of the total assessment of all real property assessed and certified for taxation in said district

Section 2 The taxes and penalties collected under the provisions of this act shall be used by such school district for general public school purposes

Section 3 The tax authorized to be levied under the provisions of this act shall be in addition to any other taxes any school [district] districts of the first class [is] and of the first class A are empowered to levy and collect under any existing law

Section 4 The taxes which are levied under the provisions of this act shall be collected at the same time in the same manner with like authority and subject to the same discounts and penalties as other real estate taxes for school purposes are collected

Section 2 This reenacting and amending act shall take effect immediately.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Flack,	McGinnis,	Stevenson,
Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Haluska,	McPherson, Jr.,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Holland,	Mullin,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Davis,	Kopriver, Jr.,	Peelor,	Watkins,
Dent,	Lane,	Propert,	Watson,
Derk,	Madigan,	Ruth,	Weiner,
Diehm,	Mahany,	Schmidt,	Whalley,
DiSilvestro,	Mallery,	Scott,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 8, entitled:

An Act authorizing and directing the State Highway and Bridge Authority with the approval of the Governor to erect and maintain a toll bridge over the Ohio River in Beaver County between a point in the general area of Monaca-Shippingport to the general area of Beaver-Midland on the opposite side of the Ohio River and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Section 3, line 10 by striking out the word "tools" and inserting therein "tolls." Amend Section 3, line 11 by striking out the words "reconstructed and."

They were agreed to.

The section was agreed to as amended.

The fourth section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 10, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code" authorizing incorporated towns to remove and impound vehicles

And said bill having been read at length the second time agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. FLEMING. Mr. President, I ask unanimous consent that House Bill No. 114, Printer's No. 1131, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 318, entitled:

An Act pertaining to the resignation and retirement of judges under certain conditions fixing their compensation upon resignation or retirement and imposing duties on certain State officers

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 2, page 2, line 3 by striking out "After the effective date of this act any" and inserting in lieu thereof: "Any"; Amend Sec. 2, page 2, line 9 by striking out "if he attained" and inserting in lieu thereof: "when he attains"; Amend Sec. 2, page 3, line 4 by inserting after "and": "who has not then attained the age of sixty-five years"; Amend Sec. 2, page 3, line 5 by striking out "have attained" and inserting in lieu thereof: "upon attaining"; Amend Sec. 2, page 3, lines 5 and 6 by striking out "or more and is not upon the attaining of said age serving as a judge shall" and inserting in lieu thereof: "and"; Amend Sec. 2, page 3, line 15 by striking out "if any."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 3, page 3, line 16 by striking out "After the effective date of this act any" and inserting in lieu thereof: "Any"; Amend Sec. 3, page 4, line 4 by striking out "subsection (b) of"; Amend Sec. 3, page 4, line 12 by striking out "if any."

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 4, page 4, line 14 by striking out "After the effective date of this act any" and inserting in lieu thereof: "Any"; Amend Sec. 4, page 5, line 20 by inserting after "shall" where it appears the first time in said line: "as of the date of such approval"; Amend Sec. 4, page 6, line 6 by striking out "if any."

They were agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 5, page 6, line 15 by striking out "plus" and inserting in lieu thereof: "and"; Amend Sec. 5, page 6, line 17 by inserting after "retirement": "and any judge who is not a member of the State Employes' Retirement System shall in no event receive under the provisions of this act more than he would have received had he been a member of the State Employes' Retirement System during the period of his eligibility for such membership"; Amend Sec. 5, page 7, line 6 by inserting after "System": "and if he is not a member, the total annual amount from all annuities to which he would have been entitled if he had been such a member during the period of his eligibility for such membership. The calculation and determination of the payments to be made under the provisions of this act and the distribution and payment thereof to the judges entitled thereto shall be made by and under the supervision and direction of the State Employes' Retirement System."

They were agreed to.

The section was agreed to as amended.

The sixth, seventh and eighth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 318, Printer's No. 340, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 748, entitled:

An Act amending the act of June 17 1913 (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by making said act applicable to all taxes heretofore and hereafter levied and remaining uncollected

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 749, entitled:

An Act amending the act of June 17 1913 (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes . . . " by allowing appeals in certain cases to be taken to the County Court of Allegheny County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. FLEMING. Mr. President, I ask unanimous consent that House Bill No. 756, Printer's No. 1133, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 775, entitled:

An Act making an appropriation to the Joint Committee appointed by the Senate and House of Representativse to investigate the Pennsylvania Training School at Morganza

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. FLEMING. Mr. President, I move that Senate Bill No. 816, on second reading, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" revising the school health services program and transferring the reimbursement appropriation for school nurses in such program to the Department of Public Instruction

be placed on the Second Reading Postponed Calendar.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispended with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 828, entitled:

An Act requiring owners and lessees of land on which there are abandoned excavations to fill in or fence the same to prevent persons falling therein prescribing penalties imposing duties on cities boroughs towns and townships

The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. RUTH, on behalf of Mr. DENT, offered the following amendment:

Amend Sec. 4, page 2, line 18 by inserting after "to": "excavations otherwise regulated by existing law or to";

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. RUTH, on behalf of Mr. DENT, offered the following amendment:

Amend Title, page 1, line 1 of Title, by inserting after "are": "certain."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that Senate Bill No. 828, Printer's No. 350, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 830, Printer's No. 324;

Senate Bill No. 831, Printer's No. 325; and

Senate Bill No. 832, Printer's No. 326.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 835, entitled:

An Act amending the act of August 9 1955 (Act No. 130) entitled "The County Code" authorizing the appointment of solicitors by clerks of the court of quarter sessions and oyer and terminer in third and fourth class counties and prescribing their duties

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Section 1, Section 1315, Page 2, Line 6, by deleting the words "and fifth" after the word "fourth."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 836, Printer's No. 351; and

House Bill No. 844, Printer's No. 1129.

The PRESIDENT. Is there objection? The Chair hears none

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 852, entitled:

An Act amending the act of April 12 1951 (P. L. 90) entitled "Liquor Code" permitting holders of bonded warehouse licenses issued by the Pennsylvania Liquor Control Board to receive in bond certain liquor and alcohol for storage in bond in this Commonwealth regulating the release of such liquor and alcohol for delivery

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 871, entitled:

An Act authorizing certain mutual insurance companies other than life insurance companies now in existence under the provisions of the act of May 17 1921 (P. L. 682) its supplements and amendments to reincorporate as mutual life insurance companies outling the requirements and procedure and defining the rights of dissenting mem bers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WADE. Mr. President, the subject matter of House Bill No. 961 was amended into House Bill No. 629, which passed the House and became Act No. 146 on September 7, by signature of the Governor.

Therefore, Mr. President, I move that House Bill No. 961, on second reading, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code" by further regulating the operation of certain buses

be recommitted to the Committee on Highways.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 985, entitled:

An Act amending the act of May 26 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" further prescribing the nature and kind of investments which may be made and retained by fiduciaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I have some amendments to House Bill No. 986, but I want to take them up with Senator McPherson.

Therefore, Mr. President, I ask unanimous consent that House Bill No. 986, Printer's No. 1022, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1144, entitled:

An Act amending the act of May 15 1933 (P. L. 796) entitled as amended "An act providing for the preservation of the records or photographic film reproduction or photographic or photostatic copies thereof of banks bank and trust companies trust companies savings banks private banks and national banking associations . . ." providing further for the preservation of records and their admissibility in evidence.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1172, entitled:

An Act amending the act of June 14 1923 (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishng a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" prohibiting the use of a fictitious or assumed name for the purpose of participating in any amateur boxing match or exhibition

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1212, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "The Borough Code" authorizing the burgess of a

borough to request that matters upon which the council has cast a tie or split vote be tabled until a special session of the council and to cast the deciding vote if necessary at that time

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1227, entitled:

An Act regulating the recording of all instruments in writing by the Commissioner of Records in the City of Philadelphia and repealing inconsistent laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1259, entitled:

An Act authorizing the commitment to the Department of Public Welfare in any city of the first class persons convicted of crimes and sentences by courts situate within such city to a city or county penal institution where such Department has established a correctional diagnostic and classification service and authorizing the transfer of prisoners between such institutions by the Department

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 1294, Printer's No. 1134, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING. Mr. President, I ask unanimous consent that House Bill No. 1330, Printer's No. 800, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1361, entitled:

An Act authorizing the creation of regional planning commissions by counties cities boroughs towns or townships authorizing interstate participation in regional planning under certain conditions and conferring powers and imposing duties on regional planning commissions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1473, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" clarifying the taxing power of school districts of the second third and fourth classes to pay the minimum salaries and increments of the teaching and supervisory staff

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1613, entitled:

An Act to further amend Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the share of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' ". . ." by requiring every title insurance or trust company bank and trust company or trust company to compute and pay the State tax on shares of capital stock when making reports and extending the date for making such reports

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1620, entitled:

An Act amending the act of June 11 1935 (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons . . ." extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1621, entitled:

An Act amending the act of May 2 1929 (P. L. 1278) entitled "The General County Law" authorizing collection of data concerning deceased veterans of armed conflicts authorizing the erection of monuments for and giving retirement benefits to veterans of armed conflicts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1622, entitled:

An Act amending the act of May 2 1929 (P. L. 1278) entitled "The General County Law" extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1623, entitled:

An Act amending the act of May 2 1929 (P. L. 1278) entitled "The General County Law" extending retirement benefits to veterans of armed conflicts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1625, entitled:

An Act amending the act of May 22 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" extending civil service preference to veterans of armed conflicts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1626, entitled:

An Act amending the act of May 21 1943 (P. L. 302) entitled as amended "An act providing for the admission of children to and their education and maintenance in and their discharge from the Scotland School for Veterans' Children . . ." extending its provisions to children of veterans of armed conflicts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1690, entitled:

An Act amending the act of May 21 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" extending its provisions to veterans of armed conflicts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. FLEMING. Mr. President, I move that House Bill No. 1691, on second reading, entitled:

An Act amending the act of May 31 1893 (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" changing the name of Armistice Day to Veterans' Day

be recommitted to the Committee on Military Affairs and Aeronautics.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 1707, entitled:

An Act amending the act of June 21 1939 (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class . . ." changing the time for valuation or assessment of new buildngs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. FLEMING. Mr. President, I ask unanimous consent that House Bill No. 1722, Printer's No. 1029, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1723, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "The Administratve Code of 1929" by provding that State policemen assigned to duty with the Pennsylvania Turnpike Commission shall not be counted against the total number of officers and men in the State Police Force

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1726, entitled:

An Act amending the act of May 5 1933 (P. L. 457) entitled "Building and Loan Code" further regulating regular meetings of boards of directors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 1736,, Printer's No. 956, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING. Mr. President, I ask unanimous consent that House Bill No. 1737, Printer's No. 993, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1751, entitled:

An Act amending the act of July 28 1953 (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" conferring additional powers and duties on the county planning commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1763, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" extending the time for payment on purchases of borough property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1834, entitled:

An Act making an appropriation to the Senate and House of Representatives of the General Assembly for the payment of salaries of officers and employees mileage of members and incidental expenses for the balance of the legislative session of 1955

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL NO. 215 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. FLEMING. Mr. President, I call up from the Second Reading Postponed Calendar, Senate Bill No. 215, for consideration at this time.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 215, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions appliacble as well to private and parochial schools amending revising conosildating and changing the laws relating thereto" changing the basis for reimbursement on account of rentals payable to the State Public School Building Authority municipality authorities and nonprofit corporations and the conditions therefor and limitations on aggregate of approved reimbursable projects.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 2 (Sec. 2574), page 9, lines 4, 5and 6, by striking out both of lines 4 and 5, and "architect's Fees" in line 6; Amend Sec. 2 (Sec. 2576), page 13, lines 4 and 5, by striking out "general county and State plans for an" and inserting in lieu thereof: "county-wide plans prepared by the county board of school directors and approved by the State Council of Education for the"; Amend Sec. 2 (Sec. 2577), page 14, lines 16 and 17, by striking out "approved reimbursable projects" and inserting in lieu thereof: "Approval of Projects for Reimbursement purposes. (a)"; Amend sec. 2 (Sec. 2577), page 14, line 18, by inserting after "approval": "for reimbursement purposes";

Amend Sec. 2 (Sec. 2577), page 15, line 4, by inserting after "reimbursable"; "costs of"; Amend Sec. 3 (Sec. 2577), page 15, line 4, by striking out "for such purposes"; Amend Sec. 2 (Sec. 2577), page 15, by inserting between lines 15 and 16: "(b) The Department of Public Instruction shall determine reimbursement eligibility of all projects including projects submitted for approval prior to the effective date of this act, in the order of date of filing of applications for project approval with the department. If a delay in departmental processing of any application on file is occasioned by the applying school district the department shall proceed to determine reimbursement eligibility of projects next in order.

(c) Unless the general construction contract for any project is awarded within ten months subsequent to the date of approval by the department approval shall be withdrawn except that when a district shows to the satisfaction of the department that the contract has not been let for resasons beyond its control or that withdrawal of approval would work undue hardship, the department may grant extensions beyond the ten-months period for two periods of sixty days each before approval is withdrawn. A project for which approval is withdrawn may be resubmitted to the department as a new project."

Amend Sec. 2, page 17, by inserting between lines 10 and 11; "Section 2580. Changes in the Amount of Lease Rentals.—Reimbursements to school districts on account of rental payments in excess of the amount specified in the lease between the school districts and the State Public School Building Authority or any municipality authority or nonprofit corporation or, in the case of refinancing,

on account of rental payments provided by a renegotiated lease, shall be calculated in the same manner as the specified lease rental."

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WAGNER offered the following amendment:

Amend Title, page 2, lines 1 and 2 of Title, by striking out "aggregate of approved reimbursable projects" and inserting in lieu thereof: "approval of projects for reimbursement purposes".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. FLEMING. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. CAMIEL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 188, entitled:

An Act relating to the practice of Ophthalmic Dispensing, providing for the licensure and registration of Dispensing Opticians, authorizing the issuance of certificates to registered qualified Ophthalmic Dispensers, creating a State Board of Examiners for Dispensing Opticians to determine the respective qualifications of applicants, and defining specific powers and duties thereof, providing for penalties for violations of the provisions thereof, and providing for appeals to Court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 242, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," removing the requirement that interest be paid by employes seeking reinstatement in the retirement system, or seeking credit in the retirement system for previous service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 316, entitled:

An Act amending the act of March 30, 1917 (P. L. 21) entitled "An act defining optometry; . . ." regulating the advertising of products used for ophthalmic purposes and providing penalties for violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 335, entitled:

An Act amending the act of June 22 1937 (P. L. 1987) entitled as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life, and for industrial consumption, and recreation; . . .," authorizing certain corporations to acquire interests in land by eminent domain.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 381, entitled:

An Act amending the act of August 21, 1953 (P. L. 1273), entitled "The Private Detective Act of 1953," further regulating licensing of detectives and the fees and bonds required for such licensing, granting power to serve warrants to certain persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 383, entitled:

An Act amending the act of May 20, 1949 (P. L. 1594), entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and possessing with intent to sell, of adulterated or deleterious ice cream, french ice cream, french custard, frozen custard, frozen ice confections, frozen sherbet confections, sherbet, ice and fruit ice, including coated ice cream and the coating thereof; . . .," authorizing and regulating the manufacture and sale of artificially sweetened ice cream for diabetics.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

Act Act providing for examination by the Workmen's Compensation Board of persons prior to appointment or reappointment as workmen's compensation referees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 681, entitled:

An Act relating to and regulating the practice of the profession of landscape architecture; providing for the licensing and registration of persons practicing said profession and the suspension and revocation of said licenses and registrations for violation of this act prescribing the powers and duties of the State Board of Examiners of Architects the Department of Public Instruction and the courts and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 819, entitled:

The Act subjecting housing projects to taxation for school purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 834, entitled:

An Act validating and confirming certain contracts heretofore entered into by municipality authorities for the construction of a school building project or projects and for relevant service contracts as a part of the construction when there is no evidence of fraud or conspiracy and authorizing or ratifying payments on such contracts or parts of contracts by the municipality authority upon approval thereof by the Department of Public Instruction and the Department of Justice.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 841, entitled:

An Act to promote the welfare of the people of this Commonwealth creating Port Authorities to function in counties of the second class as bodies corporate and politic with power to plan acquire construct maintain and operate facilities and projects for the improvemnt and development of the port district and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof authorizing the authorities to enter into contracts with and to accept grants from the Federal government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates and services and authorizing the authorities to collect tolls fares fees rentals and charges for the use of facilities defining the authorities' powers and duties and defining the port districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 842, entitled:

An Act amending the act of May 15, 1939 (P. L. 134) entitled, as amended, "An act relating to fireworks . . ." authorizing the use of fireworks in connection with raising crops.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 853, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669) entitled, as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; . . ." excluding certain costs from the term "receipts."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 856, entitled:

An Act amending the act of March 30, 1917 (P. L. 21) entitled "An act defining optometry; . . ." further regulating the refusal cancellation revocation and suspension of licenses providing for rules and regulations and eliminating repealed provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 857, entitled:

An Act authorizing political subdivisions and the members of the paid fire fighting force to enter into written contracts concerning wages and conditions of employment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 862, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to Reference and Arbitration," providing by rule of the County Court of Allegheny County for the arbitration of certain suits at issue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 877, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "The Fourth to Eighth Class County Assessment Law," imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1160, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to References and Arbitration" providing for payment by the county of part of arbitrator's fees in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1174, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," by providing for military leaves of absence for public school employes who are drafted for military service at any time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1188, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" limiting interest payments on refund of money subject to escheat to moneys originally on deposit in interest bearing accounts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1222, entitled:

An Act to further amend the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein . . ." as amended by further defining "receipts."

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1223, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein . . ." changing the method of computing the tax of certain taxpayers changing the penalty on taxes not paid when due defining business and limiting the time within which suit may be started for collection of taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1319, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code," clarifying the effect of certain provisions of the act with respect to powers granted by other laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1392, entitled:

An Act amending the act of May 10, 1939 (P. L. 111) entitled "Commerce Law," granting to and imposing certain powers and duties on the Department of Commerce relating to planning programs assistance and other work heretofore administered by the State Planning Board and transferring records and equipment relative thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1790, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately one thousand two hundred sixty-six acres of land in the Township of Coolbaugh County of Monroe Pennsylvania known as Tobyhanna Signal Depot and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. FLEMING. Mr. President, I move that the Senate do now adjourn until Wednesday, November 30, 1955, at 5:00 o'clock, P. M., Eastern Standard Time.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:15 o'clock, P. M., Eastern Standard Time, until Wednesday, November 30, 1955, at 5:00 o'clock, P. M., Eastern Standard Time.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

WEDNESDAY, November 30, 1955.

The Senate met at 5:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

In the absence of the Chaplain, the following prayer was offered by the gentleman from Berks, Mr. RUTH:

Almighty God, our Heavenly Father, when the blasts of winter come around us, Thy sun still gives its warmth. When the cares and trials and difficulties of the world seem to overtake us, yet Thy Spirit, like the warm sunshine, comes into our hearts and guides us.

Guide us in this Session that we do those things which shall redound to Thy honor and glory, and be for the good and welfare of our Commonwealth.

Use us each one in our particular sphere of life into which Thou hast placed us to do Thy work and to do it the best way we possibly can. We ask it in Thy Holy Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HAYS, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 643, PRINTER'S No. 252

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 30, 1955.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 643, Printer's No. 252, entitled "An act amending the act of June 24, 1939 (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' prohibiting budget planning business and prescribing penalties for violation thereof."

GEORGE M. LEADER.

REPORT FROM COMMITTEE

Mr. DENT, from the Committee on State Government, reported as committed Senate Bill No. 867, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; . . .," permitting the sale and possession of wine in packages not bearing the official seal of the board.

SENATE CONCURRENT RESOLUTION, SERIAL No. 150, REPORTED FROM COMMITTEE

Mr. WHALLEY, from the Committee on Education, to which was referred resolution offered by Mr. Whalley, on September 26, 1955, reported the same with amendment as follows:

REQUIRING THAT PHYSICAL EDUCATION PROGRAMS BE ESTABLISHED IN ALL PUBLIC SCHOOLS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

In the Senate, September 26, 1955.

Recently, at a White House luncheon, the problem of the physical fitness of the youth of the United States was brought to the attention of the President of the United States in the form of a report given by Hans Kraus, M.D., Associate Professor of Physical Medicine and Rehabilitation at New York University and Miss Ruth Prudden, Director of the Institute for Physical Fitness at White Plains, New York.

The President said that the problem is a very serious one and even more alarming than he had imagined.

According to studies and tests, the percentage of American youths who are physically unfit with respect to muscular strength and flexibility is any where from thirty-four per cent to forty-nine per cent higher than that for youths of European countries.

This condition has been brought about to a great extent by indulgent parents, unwillingness of children to participate in exercise and excessive use of buses, automobiles and television.

Our country will not long endure, as a leading power among great nations, if our youth is allowed to waste away and the time has come for us to attack the problem with a constructive program.

Our public schools are ideal places for carrying out a program of rehabilitating physically unfit youths. There, children may be made to engage in drills, calisthenics and exercises that will help to build healthy bodies; therefore be it

Resolved (the House of Representatives concurring), That the Department of Public Instruction require that all public schools meet the present minimum requirements established by the State Council of Education.

Laid over for one day under the Rules.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, I am happy to report to the Membership that I have a package of bills, consisting of a series of eight, which cover the Social Security problem here in Pennsylvania.

I might say to the Membership that we have had the advice of actuaries out of Philadelphia, the Governor's Office, the Attorney General's Office; and in addition to that, we have had the cooperation of the Members on the other side. I want to particularly emphasize that Senator Stevenson and Senator Scott have devoted a lot of time to work on this legislation.

Mr. President, we feel there should be no amendments. This package of eight must pass in a package because, otherwise, the legislation would not be effective.

This package pertains to members of the public school teaching profession, our State employees, our various county employees and also those in our colleges and universities. It seems to me that each and every Member of the Senate should secure a copy of each one of these bills, take it back to their Districts and let the people know just what is going on.

Mr. President, before closing, I want you to know, too, that the Attorney General's Office and the Governor's Office have advised us that this legislation is going to cost approximately $14,000,000 for the first biennium. That will cover the State's contribution as far as the members of the public schoolteaching profession are concerned and also the contribution for the State employees.

Mr. President, it is with considerable pleasure that I read in place and present to the Chair these bills. I would appreciate the bills being referred to the Committee on Local Government.

BILLS INTRODUCED AND REFERRED

Messrs. LANE, SCOTT, BARR and STEVENSON read in place and presented to the Chair Senate Bill No. 889, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled, as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class . . .," imposing duties on retirement boards when employes are placed under Federal Social Security, and changing and clarifying certain retirement allowances and benefits.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 890, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; . . ." imposing duties on retirement boards when employes are placed under Federal social security and changing and clarifying certain allowances and benefits.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 891, entitled:

An Act amending the act of June 27, 1923 (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof . . .," changing and clarifying contributions and credit provisions where employes are placed under social security.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 892, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," imposing duties on pension boards; changing contributions; and changing and clarifying certain allowances and benefits when employes are placed under social security.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 893, entitled:

An Act amending the act of July 18, 1917 (P. L. 1043), entitled "Public School Employes Retirement Law," changing and clarifying benefits, contribution and credit provisions when employes are placed under social security; providing for payments by the Commonwealth and for reimbursements from appropriations.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 894, entitled:

An Act amending the act of July 8, 1941 (P. L. 298), entitled "The Fourth Class County Retirement Law," imposing duties on retirement boards when employes are placed under Federal social security and changing and clarifying certain allowances and benefits.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 895, entitled:

An Act amending the act of May 23, 1945 (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," imposing duties on pension boards; changing contributions; and changing and clarifying benefits and allowances when employes are placed under social security.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 896, entitled:

An Act reenacting and amending the act of January 5, 1952 (P. L. 1833), entitled "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act, as amended; . . .," extending its provisions to include additional persons; increasing contribution rates and providing for refernda, and permitting modification of certain local retirement plans.

Which was committed to the Committee on Local Government.

Messrs. SEYLER and DENT read in place and presented to the Chair Senate Bill No. 897, enittled:

An Act to prescribe minimum wage and maximum hour standards to provide for the further determination and establishment of minimum wages by industry and to provide for enforcement of such provisions and for other purposes.

Which was committed to the Committee on Labor and Industry.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 898, entitled:

An Act amending the act of April 18, 1949 (P. L. 604), entitled "State Highway and Bridge Authority Act," increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor.

Which was committed to the Committee on Highways.

PETITIONS AND REMONSTRANCES

Mr. SEYLER. Mr. President, in order to present my remonstrance. I desire to ask Senator Kessler a few questions.

The PRESIDENT. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. SEYLER. Mr. President, in deference to the Senator's position as chairman of the committee holding the hearings, and on account of the strict time limit he set up, I did not raise this point at that time. I saved it for now when we are not under a strict time regulation.

I wish to ask the Senator what, in his opinion, is the purpose of holding the hearings of which we are a part?

Mr. KESSLER. Mr. President, it is my understanding that the hearings are public hearings, held to hear the proponents and opponents of House Bill No. 1879.

Mr. SEYLER. Would the gentleman say, Mr. President, that the primary purpose is to inform the committee so that they can act on the bill?

Mr. KESSLER. That is one of the major purposes, yes.

Mr. SEYLER. It seems to me when material is presented in evidence by those interested in coming in and presenting it, which a given member of the committee does not understand or which he thinks is in error or which he feels needs clarification, that unless we have the privilege of interrogating the person who makes the statement, we cannot carry out the purpose that the chairman has in mind in calling the hearings. I would like to ask the gentleman whether he would allow the members of the committee to have more leeway in interrogating the witnesses, those who appear to testify, in the session tomorrow.

Mr. KESSLER. Mr. President, tomorrow we are scheduled on a ten and five minute basis all through the day. Many of these speakers do not limit their remarks to ten or five minutes, as the case may be, and it cut the time down for questioning. These people have come from some distance, many of them, and it seems to me that it is courtesy on the part of the Finance Committee to hear them rather than to hear the Members of the Finance Committee.

I am fully aware of the disadvantage that we have in the shortness of time in not giving the members of the committee the opportunity to explore to the end many of the questions which they have raised. Under the circumstances, I am sorry; I do not see any other way to get through this schedule tomorrow.

Mr. SEYLER. Mr. President, I thank the gentleman.

Mr. President, it seems to me, as one who has now sat through one day of these hearings, that we have had offered here by these gentlemen who came to testify a well meant attempt to present their views. However, it has become obvious that many of them have come here with misunderstandings; they have come here with statements which are difficult, on the face of them, to understand because they deal with technical matters which the committee members need to inquire about. It seems to me that much of the things which are said are misleading if they are taken at their face value, not for malice perhaps, but because of misinformation on the part of the person who comes to present the testimony.

I am sorry the Senator cannot hear this, but I seem to detect an allegation on his part that members of the committee wish to make speeches. As far as I myself am concerned, I have tried to confine myself to questions which were pertinent. I tried to limit myself to questions. At any time that I offer a question, as a member of the committee, which the chairman finds irrelevant or impertinent I would feel it is his duty to state, and would gladly yield to his decision, that it was so. Speaking for myself, however, I have tried to limit my questions to those matters which I thought were material and relevant. I do not like the allegation the chairman made that the members of the committee are attempting to make speeches. Certainly such is not my intent. My intent is to clear up, wherever I find them, inconsistencies or discrepancies and to find out what the person means when he does not phrase correctly.

Mr. President, I am afraid that unless we do that, we are going to get a highly distorted pitcure and we are also going to fail to understand the real import of the testimony which we are getting.

Mr. President, the time element is, of course, important. I regret that the chairman has seen fit to set such a tight schedule because I believe these are matters of enough importance that if we are sincere about it, we should take the time to find out and clarify the intent of the speaker in coming here and saying what he says. Otherwise, I think we are wasting time. I think we are getting a lot of undigested material, most of which is spoken in error and without any real understanding of the provisions of the bill.

I would say to the Senator that rather than hold to such a tight schedule, if it has proved now in a day's experience to not lead to a proper understanding of what is being offered, that we should invite these people to come back. Speaking for myself, as a member of the committee and speaking for several others with whom I have spoken, I believe we would be willing to come back another day. I am sure that these gentlemen who are here, busy as they are, have enough interest in this matter that they would be willing to come back. I have the feeling that we are being very superficial and that we are not really accomplishing anything. I think we

are doing a fruitless job here in accepting this material undigested. I think it needs to be followed up with searching questions which will get to the heart of the matter, which will clear misunderstandings and which will really leave us with workable information that we can use in making important decisions on this bill.

Mr. President, I would strongly request the Chairman of the Finance Committee to reconsider his position and give us the privilege of interrogating the witnesses. After all, we are Senators and we are members of the committee and we share the responsibility for what is being done on that Committee. I personally feel that it is not doing justice to us as individuals to put a gag rule on us and not allow us to ask questions. I think that speeches are out of order. However, sometimes it is necessary to make a short statement in order to ask a question.

Taking my own case personally, Mr. President, I submit to the chairman that I have not attempted to harangue or make any propaganda. I have been asking what I consider legitimate, pertinent and relevant questions. Unless we can proceed on that basis, I really do not think we are doing any good in holding these hearings. I think we are wasting our time. Therefore, I would like to ask the gentleman to reconsider his position on that and tell him that I think we should take more time to do it if more time is necessary. I do not like gag rules and I do not like to be tagged with the responsibility for something in which I am limited and cannot do anything about.

Mr. President, if Senator Kessler thinks that I have exceeded the rules and have tried to make speeches, I would be glad to have him gavel me out of order on that kind of a proposition.

Mr. LANE. Mr. President, I rise to support Senator Seyler in the position he has taken here today. I feel that probably he has stated the best thing to do. As a matter of fact, I am going to make a suggestion to Senator Kessler.

When we started the Morganza Hearings it was a Joint Committee appointed by the President pro tempore and the Speaker of the House of Representatives. We met and we formulated ground rules on the hearings. It was decided, by the committee, that each member would have a period of five minutes to interrogate each witness. I do not say that that would be the time for you but, Senator Kessler, I do believe that as chairman of the committee you have failed to call the committee together in order to discuss in any detail at all the procedure at these hearings. I feel that we have a right to voice our opinion. I imagine there are members on the other side who feel the same way.

Mr. President, I suggest that the chairman call a meeting this evening, bring in the members of the committee and say, "How do you want to work these ground rules? Do you want one minute to interrogate? Do you want two minutes to interrogate?" If that is the case, give us that privilege and then gavel us if we go over that time limit.

As a matter of fact, Mr. President, members on my own side here criticized me because I adhered strictly to the rules when we held the Morganza Hearings and we did the whole job in a matter of five days because we held to the ground rules.

I feel, Senator Kessler, as a Member of this Finance Committee and as a Member of this Senate for quite a number of years, that I should be consulted on the operation of that committee. I feel that you should at least ask me if I have any suggestions. I feel that you should call a committee meeting tonight and formulate those rules, and then follow through.

There were a number of questions that I wanted to ask quite a few of those people, but I did not have the opportunity because I did not want to be branded as an obstructionist here today. However, I am not happy at all with the way things are going. I feel I speak for quite a number of the members, maybe, on both sides of the aisle. We should have that meeting, formulate the ground rules and abide by those rules; then you are the boss.

Mr. KESSLER. Mr. President, I think the points made by Senator Lane are well taken in part, and also those of the gentleman from York County.

Mr. President, notices were sent out as soon as the avalanche of telephone calls, letters and other correspondence began to come in last week, and I tried to get those notices to Members of the Finance Committee before the end of last week. I think that most of the members received them on Friday. From the time those letters were sent, I have had no communication whatsoever from any Member of the Finance Committee. If they were interested in procedure, it seems to me there was ample opportunity to make suggestions or to make certain proposals. As it was, people kept calling and sending in wires, wanting a time set when they could be here. These people were coming from various parts of the State.

I took it upon myself as chairman, which I thought was my prerogative, to arrange that schedule. As the number of requests increased, we had to reduce the time and continued to reduce it. As I said, tomorrow is going to be a tighter schedule than we had today. I regret it, but I do not want to extend these hearings for a matter of five days. If that is the wish of the committee, we can probably continue them.

I would like to make one other comment, Mr. President. Many of the questions which were raised were raisde because of differences of opinion with respect to the language of House Bill No. 1879. Those differences of opinion, as one of the witnesses indicated, could not be settled here no matter how much we discussed them. They will have to be determined by the courts if and when House Bill No. 1879 becomes law. Many other questions which were raised concerned things which people felt would be included in the bill as amendments. I announced from the floor that all we could consider was House Bill No. 1879 as it was before us today. Any amendments that are to be incorporated in that bill will have to be decided upon by the Finance Committee.

I regret the situation, Mr. President, but we have people scheduled for tomorrow, as I said, on five and ten minute intervals. I do not know how we can allow time for extended questions. We will permit just as many questions as time will allow.

Mr. WADE. Mr. President, I am not rising in defense of Senator Kessler because I do not believe he needs any defense. Frankly, I think that he, as Chairman of the Finance Committee, conducted the hearing in a well organized manner, and he brought to the committee these

witnesses who were invited to come in when they asked to be heard. Mr. President, these hearings were conducted in a very able manner.

I, myself, have accumulated through the day some twelve papers which I shall try to digest in a way before tomorrow's hearing. I think that the hearing might have gotten out of hand very well had it not been so particularly organized.

Mr. President, I know that I asked Senator Kessler, on behalf of some five or six others, for the privilege of testifying before the committee and he asked, in particular, whether or not they desired to testify for their own particular business or for an industry in the Commonwealth. When they represented an industry and did express themselves on behalf of the State-wide industry, he tried to confine it to that.

I repeat that I have some twelve or fourteen papers which give me a wealth of information on different phases of this tax that is proposed under House Bill No. 1879.

Again, Mr. President, I think at the outset the hearing might well have gotten out of hand had the chairman permitted a discussion on the financial situation of the Commonwealth. That was touched upon by Mr. Henry Leader and by Senator Dent in a very able manner, but in a limited manner. From then on, there was no further necessity for telling members of the committee anything regarding the financial situation of the Commonwealth.

Mr. President, I want to compliment Senator Kessler and I am glad for this opportunity to say to him that this was one of the most ably conducted and well arranged hearings that was ever held in the Senate since I have been a member.

Mr. SEYLER. Mr. President, Senator Wade's remark about this being the best conducted hearing reminds me of the opinion of a school teacher friend of mine who, as most teachers do, got fed up with the problems which they have with the children in school and he gave his opinion one time that the best school would be the kind that had no children in it. That reminds me of the comparison here because, obviously, you can have a perfect hearing if you have no interchange of ideas.

I fear that these papers that Senator Wade has to read tonight, were it not for the fact that some questions were asked, would contain many distortions which even the able Senator, with his keen intellectual grasp of finacial affairs, might miss if somebody had not raised the question and pointed out the distortion or the error which was contained in the statement.

Mr. President, I did not raise the question of fairness in this. I think that Senator Kessler is a fair man and I think he has tried to be fair within the limitations he set himself. However, I would inquire, if it does not indicate a certain degree of capriciousness, why when one witness is finished, one member of the committee is refused the request to ask a question when no questions have been asked of the witness and when the next two witnesses are finished other member of the committee are granted the right to ask a question. This seems to me to be perhaps not unfair but capricious. It indicates that the chairman is picking and choosing; though perhaps not intentionally, it is being done. Since I was the victim twice of this, I am perhaps sensitive to it.

I will admit that I perhaps asked a great many questions, but I would say to Senator Wade that this probably indicates that I do not have this magnificent grasp of affairs that he has. I am probably an uniformed committee member and, therefore, I need these hearings more than he does. I would like to be able to ask questions.

Mr. President, in reply to Senator Kessler's statement about nobody writing to him, I had no idea that he expected anybody to write to him. I assumed that we might have a short meeting of the committee beforehand, at which we would decide on the rules and procedure. Since we did not have that, I still feel that in order to make these hearings of some moment we should have such a meeting an decide on the rules. I do not think that the time element is that important so as to block our getting something out of it. I would rather spend time and get something out of it than waste time sitting here tomorrow and getting nothing. I would suggest that if he is going to limit debate, he better limit it on everybody and just say, "No questions."

I feel, that, unless there is an improvement in the situation, there is probably no point in most of us sitting there. The chairman could gather this material and mail it to us

Mr. President, I again ask the Senator to consider seriously the removing of this gag rule and allow the committee members to ask the searching type of questions which are needed.

Mr. BARR. Mr. President, I suggest to Senator Kessler that he might call his friend, Dick Simpson, and find out how they run the Ways and Means Committee in Congress. I have attended many Ways and Means Committee meetings down there and most of the day is taken with the Members of the Ways and Means Committee questioning the witnesses.

Mr. SILVERT. Mr. President, I do not wish to remonstrate with the Chairman of the Finance Committee, but I do want to petition the Majority Leader, Senator Mahany, to instruct Mr. Earley to have lunch for the committee members tomorrow, because he told me he had no such instructions.

Mr. MAHANY. Mr. President, I would like to say to Senator Silvert that I provided for you today and I shall do so tomorrow again.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 171, entitled:

An Act amending the act of July 7, 1879 (P. L. 194), entitled "An act to enlarge the jurisdiction of justices of peace, and regulating the fees of constables making sales under this act," enlarging the jurisdiction of aldermen, magistrates and justices of the peace.

House Bill No. 342, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "Vehicle Code," exempting motor vehicles of war amputees from the payment of title or registration fees.

House Bill No. 619, entitled:

An Act amending the act of May 11 1949 (P. L. 1210), entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" decreasing minimum number of employes who may be covered by policies issued to any employer or to trustees of a fund established by an employer.

House Bill No. 662 ,entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law" empowering nonprofit corporations to transfer their property and assets in trust.

House Bill No. 734, entitled:

An Act amending the act of June 14, 1935 (P. L. 341), entitled, as amended, "Cigarette Tax Act" exempting cigarettes purchased for gratuitous issue to veteran patients in State and State-aided hospitals.

House Bill No. 737, entitled:

An Act amending the act of May 2, 1929 (P. L. 1278), entitled "General County Law" providing rooms for use of the American Gold Star Mothers, Inc.

House Bill No. 738, entitled:

An Act amending the act of July 8, 1919 (P. L. 784, No. 321), entitled "An act authorizing counties, cities, and boroughs to furnish rooms in public buildings for meeting places for certain organizations," including the American Gold Star Mothers, Inc., within provisions of act.

House Bill No. 740, entitled:

An Act amending the act of May 22, 1945 (P. L. 837), entitled, as amended, "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons, extending civil service preference to veterans of armed conflicts.

House Bill No. 914, entitled:

An Act reenacting and amending the act of May 23, 1949 (P. L. 1661), entitled, as amended, "An act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses," extending the act to include school districts of the first class A.

House Bill No. 1079, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "Insurance Company Law of 1921," further providing for, defining and regulating the issuance of group, blanket and franchise accident and sickness insurance.

House Bill No. 1331, entitled:

An Act amending the act of May 17, 1921 (P. L. 789), entitled, as amended, "Insurance Department Act of 1921," changing provisions relating to fees.

House Bill No. 1461, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "Vehicle Code," exempting the Y. M. C. A. from vehicle registration and title fees.

House Bill No. 1729, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law," providing for the incorporation and regulation of nonprofit dental service corporations furnishing dental services only to certain subscribers and their dependents.

House Bill No. 1730, entitled:

An Act providing for the regulation and supervision of nonprofit dental service corporations organized to provide dental services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the dental service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of dental surgery to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations, conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit dental service corporation, from providing dental services on a non-profit plan in return for prepayment, periodical or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act.

House Bill No. 1747, entitled:

An Act to further amend clause (a) of section five hundred ten of the act of May 1, 1929 (P. L. 905) entitled "vehicle Code," by making an editorial correction, and changing the time for beginning use of registration plates for certain vehicles.

House Bill No. 1779, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty one (P. L. 789) entitled as amended "Insurance Department Act of 1921" by continuing the provisions of that section in effect for a further period.

Whereupon,

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

HOUSE MESSAGES

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 834

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, November 30, 1955.

Resolved (if the Senate concur), That House Bill No. 834, Printer's No. 1036, entitled:

An Act amending the act of May 9, 1949 (P. L. 927), entitled "An act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, for their official acts and the services of their deputies, watchmen, appraisers, and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts there-

for; requiring certain payments by the county, including the compensation of special deputies, providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general special or local," changing fees, commissions, mileage and other costs chargeable by sheriffs.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1105

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, November 30, 1955.

Resolved (if the Senate concur), That House Bill No. 1105, Printer's No. 531, entitled:

An Act providing for acceptance as a donation of a building known as Patients Store and Library, at the Norristown State Hospital; this structure to be owned and maintained by the Commonwealth as a part of the Norristown State Hospital.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 218.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, November 22, 1955.

Resolved (if the House of Representatives concur), That Senate Bill No. 218, entitled:

"An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled as amended 'An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes, school treasurer, board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties' by providing for the method of validation of taxable shares of stock in any regulated investment company"

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 531.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, November 22, 1955.

Resolved (if the House of Representatives concur), That Senate Bill No. 531, Printer's No. 185, entitled "An act amending the act of May 3, 1909 (P. L. 413) entitled 'An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus' providing for and regulating the granting of easements in across and under the beds of navigable rivers for sewer lines and other facilities of sewage treatment systems."

be recalled from the Governor for the purpose of amendment.

CALENDAR

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on final passage, go over in their order:

Senate Bill No. 38, Printer's No. 208;
Senate Bill No. 572, Printer's No. 368;
Senate Bill No. 657, Printer's No. 278; and
Senate Bill No. 693, Printer's No. 357.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING, RECALLED FROM THE GOVERNOR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanmius consent that Senate Bill No. 593, Printer's No. 386, on third reading, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the folowing bills, on third reading, go over in their order:

House Bill No. 8. Printer's No. 1164;
House Bill No. 10, Printer's No. 266;
Senate Bill No. 215, Printer's No. 387; and
Senate Bill No. 600, Printer's No. 330.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 670, as follows:

An Act amending the act of April 9 1929 (P L 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commis-

sions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department boards and commissions shall be determined" revising and expanding the State Mental Health program providing for the appointment of a deputy to be known as Commissioner of Mental Health and creating an advisory council on mental health in the Department of Welfare prescribing their powers and duties and changing the powers and duties of the boards of trustees of the several State mental institutions and juvenile delinquent Institutions and the terms of members of Boards of Trustees of certain State institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Welfare of section 202 act of April 9 1929 (P L 177) known as "The Administrative Code of 1929" amended July 20 1953 (P L 526) August 21 1953 (P L 1257) and July 29 1953 (P L 1424) is amended to read

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Welfare
State Council for the Blind
Board of Trustees of the Pennsylvania Training School for Girls
Board of Trustees of Pennsylvania Training School at Morganza
Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania
Board of Trustees of Allentown State Hospital
Board of Trustees of Clark Summit State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Embreeville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Hollidaysburg State Hospital
Board of Trustees of Mayview State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Philadelphia State Hospital
Board of Trustees of Retreat State Hospital
Board of Trustees of Somerset State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Woodville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Dixmont State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State School

[In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the .....
(descriptive name of political subdivision in which]
[institution is located)
State Hospital]

* * * * *

Section 2 Section 203 of the act amended July 28 1953 (P L 656) is amended to read

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are placed in and made parts of the respective administrative departments as follows

In the Department of Military Affairs
State Military Reservation Commission
State Veterans' Commission
In the Department of Forests and Waters
State Forest Commission
Flood Control Commission
In the Department of Health
Advisory Health Board
In the Department of Labor and Industry
Industrial Board
Advisory Council on Affairs of the Handicapped
In the Department of Welfare
State Welfare Commission
Advisory Council on Mental Health
In the Department of Property and Supplies
General Galusha-Pennypacker Monument Commission

Section 3 Section 401 of the act amended July 20 1953 (P L 526) and August 21 1953 (P L 1257) is amended to read

Section 401 Boards of Trustees of State Institutions (a) The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and

The terms of each member of each such board shall be [four] six years and until his successor is appointed and qualified

The terms of the first three members of all boards the members of which now serve for terms of four years appointed by the Governor on or after the third Tuesday of January 1959 shall expire on the third Tuesday of January 1961 The terms of the next three Members appointed shall expire on the third Tuesday of January 1963 The terms of the next three Members appointed shall expire on the third Tuesday of January 1965 Their successors and all members of all boards appointed to succeed Members who have served six year terms shall be appointed for terms of six years from the date of the expiration of the preceding term vacancies happening before the expiration of a term shall be filled for the unexpired term

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board The secretary and treasurer may be the same person

This section shall apply to
Board of Trustees of Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Scotland School for Veterans' Children
Board of Trustees of West Chester State Teachers College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College

Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney State Teachers' College
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
[Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford]
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon
Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania
Board of Trustees at Rockview]
Board of Trustees of the Pennsylvania Training School for Girls
Board of Trustees of State Industrial Home for Women Morganza
Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania
Board of Trustees of Pennsylvania Training School at
Board of Trustees of Allentown State Hospital
Board of Trustees of Clark Summit State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Embreeville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Hollidaysburg State Hospital
Board of Trustees of Mayview State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Philadelphia State Hospital
Board of Trustees of Retreat State Hospital
Board of Trustees of Somerset State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Woodville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Dixmont State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State School

[Boards of Trustees of such institutions as are required by the Commonwealth from any county city or institution district and are used as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Provided that from and after the third Tuesday of January one thousand nine hundred and forty-three the terms of the first three members to be appointed by the Governor to each of the following boards of trustees shall expire on the third Tuesday of January one thousand nine hundred and forty-five and the terms of the next three members to be appointed shall expire on the third Tuesday of January one thousand nine hundred and forty-seven and the terms of the next three members shall expire on the third Tuesday of January one thousand nine hundred and forty-nine the successors to each of the above mentioned members shall be appointed for terms of six years and all appointments thereafter shall be for terms of six years except those to fill vacancies created prior to the end of any term which shall be only for the duration of the unexpired term

Board of Trustees of Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Scotland School for Veterans' Children
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney State Teachers' College

Section 4 Section 448 of the act is amended by adding at the end thereof a new clause to read

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

* * *

(i) The Advisory Council on Mental Health shall be apointed by the Governor on the advice of the Secretary of Welfare and shall be composed of both laymen and professionals in the field of mental health They shall serve for staggered terms not exceeding five years without compensation other than reimbursement of travel and other actual expenses incurred in the performance of their duties The Advisory Council shall have twenty members of whom five shall be trustees of State mental institutions five members of the Pennsylvania Medical Society and ten to be laymen The Advisory Council shall select its own chairman and shall meet at least twice a year at times and places of its own choice

Section 5 Section 2313 of the act is amended to read

Section 2313 Mental Health The Department of Welfare shall have the power and its duty shall be

(a) To administer and enforce the laws of this Commonwealth relative to the prevention of mental diseases mental defect epilepsy and inebriety the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epilepsy and the transfer discharge escape interstate rendition and deportation of mental patients

(b) Subject to any inconsistent provisions in this act contained to approve or disapprove the advice and recommendations of the several boards of trustees of State mental institutions other than the Board of Trustees of the Eastern Pennsylvania Psychiatric Institute

Section 6 The act is amended by adding after section 2313 three new sections to read

Section 2313.1 Commissioner of Mental Health The Secretary of Welfare shall appoint with the approval of the Governor a deputy secretary who shall have the title of Commissioner of Mental Health and who shall be a psychiatrist with at least seven years' training and experience in the care or patients The Commissioner of Mental Health shall serve for a five year term and shall be eligible for reappointment The Commissioner of Mental Health with the approval of the Secretary of Welfare shall develop plans and programs and make recommendations with respect to the general policy of the Commonwealth's mental health program He shall initate develop and with the approval of the Secretary of Welfare carry into effect plans and programs designed to prevent treat and cure the mentally ill He shall recommend to the Secretary of Welfare such professional and skilled personnel as may be necessary to carry out the plans and programs of the department in the field of mental health he shall recommend to the Secretary of Welfare the appointment of the superintendents of state mental institutions who in turn shall assign appoint and dismiss personnel of the institutions

Section 2313.2 Advisory Council on Mental Health The

Advisory Council on Mental Health shall have the power and its duty shall be

(a) To advise the Governor and the Secretary of Welfare with regard to the appointment of the Commissioner of Mental Health

(b) To advise assist and make recommendations with respect to the general polices and operations of the Commonwealth's mental health program

(c) To aid in increasing public understanding of and formulating plans for furthering the purposes and intention of this amending act

Section 2313.3 Boards of Trustees of State Mental Institutions (1) The powers and duties of the boards of trustees of each institution within the Department of Welfare caring for the mentally ill feeble-minded mentally retarded mentally deficient and juvenile delinquents shall be only as defined in this section

(a) To advise assist and make recommendations to the superintendent with respect to the management and operation of the institution and with respect to any plans or programs for its improvement

(b) To keep under review all matters pertaining to the welfare and well-being of patients and to make recommendations to the superintendent with respect thereto

(c) To advise and make recommendations to the Commissioner of Mental Health with regard to the selection and appointment of a superintendent in case of a vacancy

(d) To advise and make recommendations to the superintendent with regard to his selection of employes of the institution

(e) To develop and further means and methods of establishing proper relations and understanding between the institution (and its program) and the community in which it is located and generally to provide liason between the institution and the community in order better to serve the interests and needs of both

(f) To make recommendations to the Advisory Council on Mental Health on matters of policy and program emerging from its intimate knowledge and experience of mental health programs in operation

(2) The provisions of this section shall be applicable to the Boards of Trustees in all of the State mental institutions within the Department of Welfare caring for mentally ill feeble-minded mentally retarded mentally deficient and juvenile delinquents but shall not apply to the Board of Trustees of the Eastern Pennsylvania Psychiatric Institute

Section 7 Section 2318 of the act amended July 20 1953 (P L 526) is amended to read

Section 2318 Boards of Trustees of State Institutions The Board of trustees of each of the following named State [institution] institutions within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or warden of the institution who shall subject to the authority of the board administer the institution in all its departments

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The boards of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions

[Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia

Board of Trustees at Graterford of the Maximum Security Prison at Graterford and the Medium Security Prison at Graterford

Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview only until the Pennsylvania Industrial School is established at Rockview or until the Pennsylvania Institution for Delinquent Defectives is established at Rockview

Board of Trustees at Rockview of the Minimum Security Prison at Rockview

The Pennsylvania Industrial School at Rockview

The Pennsylvania Institution for Delinquent Defectives at Rockview

Board of Trustees of Pennsylvania Institution for Defective Delinquents and upon the establishment of the Medium Security Prison at Huntingdon to be known as the Board of Trustees at Huntingdon for the Medium Security Prison at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania]

Board of Trustees of the Pennsylvania Training School for Girls of the Pennsylvania Training School for Girls

[Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy]

Board of Trustees of Pennsylvania Training School at Morganza of Pennsylvania Training School at Morganza

Board of Trustees of Pennsylvania Training School at Kis-Lyn of the Pennsylvania Training School at Kis-Lyn in Luzerne County Pennsylvania

[Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown]

[Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville Pennsylvania

Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane Torrance]

Board of Trustees of Ashland State Hospital of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania at Ashland

Board of Trustees of Blossburg State Hospital at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Region of Pennsylvania at Blossburg

Board of Trustees of Coaldale State Hospital of State Hospital of Coaldale Schuylkill County

Board of Trustees of Connellsville State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville

[Board of Trustees of Dixmont State Hospital of Dixmont State Hospital at Dixmont]

Board of Trustees of Hazleton State Hospital of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton

Board of Trustees of Nanticoke State Hospital of State Hospital of Luzerne County at Nanticoke

Board of Trustees of Philipsburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton

Board of Trustees of Shamokin State Hospital of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin

Board of Trustees of Locust Mountain State Hospital of Locust Mountain State Hospital at Shenandoah

[Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton

Board of Trustees of Pennhurst State School of State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst

Board of Trustees of Polk State School of State Institu-

tion for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epileptics at Selinsgrove

The foregoing powers shall also be exercised by the respective boards of trustees of institutions acquired by the Commonwealth from any county city or institution district for use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight]

Section 8 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Bane,	Haluska,	McGinnis,	Stevenson,
Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Camiel,	Holland,	Mullin,	Van Sant,
Davis,	Kessler,	Peelor,	Wade,
Dent,	Kopriver, Jr.	Propert,	Wagner,
Derk,	Lane,	Ruth,	Watkins,
Diehm,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Silvert,	Yosko,
Fleming,			

NAYS—5

Blass,	McPherson, Jr.	Pechan,	Wolfe,
Chapman,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 689; Printer's No. 354; and

Senate Bill No. 695, Printer's No. 348.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 748, as follows:

An Act amending the act of June 17 1913 (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by making said act applicable to all taxes heretofore and hereafter levied and remaining uncollected

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 16 act of June 17 1913 (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" is amended by adding at the end thereof a new subsection to read

Section 16 * * * *

(e) The provisions of this section shall apply to all taxes covered by the provisions of this act heretofore levied and remaining uncollected as well as to all such taxes hereafter levied

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 749, as follows:

An Act Amending the act of June 17 1913 (P L 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by allowing appeals in certain cases to be taken to the County Court of Allegheny County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section 5.1 act of June 17 1913 (P L 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" added July 3 1947 (P L 1249) is amended to read

Section 5.1 * * *

(b) If such petitioner is dissatisfied with the action of the board of revision of taxes or the county commissioners

on his petition for reassessment he shall have the right to appeal to the court of common pleas of the county where he resides at any time within sixty (60) days after notice of such action is given to him by the board of revision of taxes or the county commissioners If any resident shall fail to give due notice of an intention to petition for reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the board of revision of taxes or county commissioners or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court Provided That in counties of the second class where the amount of taxes for one year which may be levied on such assessment does not exceed the sum of twenty-five hundred dollars ($2500) such appeal shall be taken to the County Court of Allegheny County and it shall be the duty of said court to hear and determine said appeal and if necessary to make such changes in the assessment as may be right and proper

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 767, as follows:

An Act amending the act of August 9, 1955 (Act No. 130) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" changing technical provisions with respect to plans rquired to be submitted to the county planning commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) and (b) of section 2004 of the act of August 9, 1955 (Act No 130) known as "The County Code" are amended to read

Section 2004 Plans of Subdivisions Jurisdiction Scope of Subdivisions Regulations Procedure Penalties (a) The County Planning Commission shall have jurisdiction and control of the subdivision of land located within the county limits For the purpose of this section a subdivision shall be construed to be a division of any part parcel or area of land by the owner or agent either by lots or by metes and bounds into lots or parcels three or more in number for the purpose of conveyance transfer improvement or sale with appurtenant roads streets lanes alleys and ways dedicated or intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon All plans plots and replots of land laid out in building lots and the streets highways alleys or other portions of the same intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto located within the county limits except those located within a city [borough or township having in existence a zoning or real estate development control ordinance within the said county] or borough or within a township having adopted by resolution land subdivision regulations shall be submitted to the County Planning Commisison if one has been created and approved by it before they shall be recorded

(b) It shall not be lawful to receive or record any [such] plan required to be approved by the County Planning Commisison in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the County Planning Commisison if one has been created The disapproval of any such plan by the County Planning Commisison shall be deemed a refusal of the proposed dedication shown thereon The approval of the commisison shall be deemed as acceptance of the proposed dedication but shall not impose any duty upon the county concerning maintenance or improvement of any such dedicated streets highways alleys or other portions of the same until the proper authorities of the county shall have made actual appropriation of the same by entry use or improvement

* * *

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 775, as follows:

An Act making an appropriation to the Joint Committee appointed by the Senate and House of Representatives to investigate the Pennsylvania Training School at Morganza

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six thousand dollars ($6,000) or as

much thereof as may be necessary is hereby specifically appropriated to the Joint Committee appointed by the Senate and House of Representatives to investigate the Pennsylvania Training School at Morganza The money shall be used for the payment of expenses of the committee and the members thereof in the performance of the functions and duties for which the committee was created

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 835, as follows:

An Act amending the act of August 9, 1955 (Act No. 130) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" authorizing the appointment of solicitors by clerks of the court of quarter sessions and oyer and terminer in third and fourth class counties and prescribing their duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XIII act of August 9, 1955 (Act No. 130) known as "The County Code" is amended by adding at the end a new section to read

Section 1315 Solicitors to Clerks of Courts of Quarter Sessions and Oyer and Terminer in Counties of the Third and Fourth Classes In all counties of the third and fourth classes the clerk of court of quarter sessions and oyer and terminer may appoint one person as his solicitor The solicitor shall advise the clerk of court of quarter sessions and oyer and terminer upon all legal matters that may be submitted to him and conduct all litigation connected with the clerk's office when requested so to do by the clerk of court

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 852, as follows:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" permitting holders of bonded warehouse licenses issued by the Pennsylvania Liquor Control Board to receive in bond certain liquor and alcohol for storage in bond in this Commonwealth regulating the release of such liquor and alcohol for delivery

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of April 12, 1951 (P. L. 90) known as the "Liquor Code" is amended by adding after section 505 a new section to read

Section 505.1 Bonded Warehouse License Privilege Restrictions Holders of bonded warehouse licenses may

(a) Receive and store in bond liquor owned by Pennsylvania licensed manufacturers and importers

(b) Receive and store in bond alcohol owned by Pennsylvania licensed manufacturers

(c) Receive and store in bond liquor owned by licensees outside this Commonwealth Such liquor shall be released from the bonded warehouse for delivery within this Commonwealth only to persons holding a liquor importer's license issued by the Pennsylvania Liquor Control Board authorizing the importation of liquor or to other storage facilities or persons outside this Commonwealth

(d) Receive and store in bond alcohol owned by licensees outside this Commonwealth Such alcohol shall be released from the bonded warehouse for delivery within this Commonwealth only to persons holding an alcohol permit issued by the Pennsylvania Liquor Control Board authorizing the importation of alcohol or to other storage facilities or persons outside this Commonwealth

All liquor and alcohol received and stored pursuant to this section shall be in original containers of ten gallons or greater capacity Liquor and alcohol placed in storage in accordance with the foregoing provisions may remain in storage notwithstanding any change in ownership

Section 2 This act shall take effect immediately

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 871, as follows:

An Act authorizing certain mutual insurance companies other than life insurance companies now in existence under the provisions of the act of May 17, 1921 (P. L. 682) its supplements and amendments to reincorporate as mutual life insurance companies outlining the requirements and procedure and defining the rights of dissenting members

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any mutual insurance company other than a life insurance company now in existence and fully subject to the provisions of the act of May 17, 1921 (P. L. 682) known as "The Insurance Company Law of 1921" its supplements and amendments which is engaged only in the business of writing accident and health insurance which has a surplus of at least two hundred thousand dollars ($200,000) over all liabilities including unearned premium reserves and which has no unpaid advances chargeable against such surplus as permitted by section 809 of the act may reincorporate as a mutual life insurance company for the purposes set forth in clause (1) of subsection (a) of section 202 of the act in the manner and subject to the provisions hereinafter set forth

Section 2 The board of directors of any such mutual insurance company other than life shall adopt a resolution directed to the members expressing the advisability of reincorporating the company as a mutual life insurance company for the purposes set forth in clause (1) of subsection (a) of section 202 of The Insurance Company Law of 1921 its supplements and amendments and directing that the question of such reincorporation be submitted to a vote of the members at a meeting which may be either an annual or a special meeting

Section 3 Notice of the time and place of the meeting shall be given to all members at least thirty days before the date set for the meeting The notice shall state the purposes of the meeting include a copy of the resolution of the board of directors and state that an appropriate resolution for the reincorporation will be submitted to the members for their approval or disapproval at the meeting The notice shall be mailed at least thirty days before the day of the meeting to the last known address of each member

Section 4 Notice of the time place and object of the meeting and a brief resume of the proposed resolution for reincorporation shall also be given by publication not less than three times in at least two daily or weekly newspapers and in the legal periodical if any designated by the rules of court of the proper county for the publication of legal notices published in the city or county where the company is domiciled

Section 5 If at the meeting two-thirds of the votes of the members there cast in person or by proxy favors the resolution to reincorporate the company into a mutual life insurance company the resolution and the number of votes cast for and against it shall be spread upon the minutes of the meeting Thereafter if the company meets the requirements for the incorporation of mutual life insurance companies incorporated under the act of May 17 1921 (P L 682) known as "The Insurance Company Law of 1921" its supplements and amendments (excepting that the company to be reincorporated under this act need not obtain or hold any applications for life insurance as specified in subsection (d) of section 206 of the act for the incorporation of new companies) the company may file in duplicate with the Insurance Commissioner articles of agreement which shall include a certified copy of the resolution for the reincorporation of the company as a mutual life insurance company

The articles of agreement shall set forth in addition to other provisions required by law the name to be used by the reincorporated company which will approximately designate it as a mutual life insurance company The articles shall be signed in duplicate by the officers and a majority of the directors of the company who shall acknowledge it in duplicate before a person empowered to take acknowledgements of deeds

Section6 The subscribers shall forward the articles of agreement in duplicate to the Insurance Commissioner who shall if he approves it certify in duplicate that all the requirements of this act in relation to the reincorporation have been complied with The Insurance Commissioner shall submit the articles of agreement in duplicate to the Attorney General for examination If the Attorney General finds them to be in accordance with the provisions of this act and not inconsistent with the Constitution of this Commonwealth and of the United States he shall certify the same in duplicate to the Governor with his approval endorsed thereon Upon the receipt of the articles of agreement the Governor shall if he approves them endorse his approval thereon in duplicate and cause letters patent to issue reincorporating the company into a body corporate with succession under the name designated in the articles of agreement

Section 7 Upon the issuance of the letters patent the applicant company shall turn over to the new mutual life insurance company all of its assets subject to all of its liabilities It shall also mail a notice to the members and it shall advertise once a week for four weeks in a newspaper of general circulation in any county in this Commonwealth in which it maintains any office and in the state capitol of any other state in which it was authorized to do business the fact of the reincorporation together with a statement that any dissenting member who desires to cancel his policy or contract may do so by delivering it on or before a specified date which shall not be later than six months after the date of the letters patent to the new mutual life insurance company and receive the pro rata unearned premium for his policy

Section 8 Upon the reincorporation of a company the Secretary of the Commonwealth shall cause the articles of agreement together with the proceedings had thereon and certificate of the Governor to be recorded in a book kept for that purpose He shall return one of the articles of agreement together with the letters patent to the company which shall have the same recorded in the recorder's office of the county in which the company is domiciled The Secretary of the Commonwealth shall furnish the Insurance Commissioner with a certified copy of the letters patent and shall also certify the duplicate articles of agreement with all endorsements thereon and file the same in the office of the Insurance Commissioner Copies of the records certified by the Secretary of the Commonwealth may be used in evidence for or against the company with the same effect as the original

Section 9 Upon receipt of notice from the president or secretary of the reincorporated company that the foregoing provisions of this act have been complied with the Insurance Commissioner shall make an examination and

if he finds that there has been such compliance he shall issue a certificate authorizing the company to commence business as a mutual life insurance company Until such time as the Insurance Commissioner issues a certificate authorizing the new company to commence the business of writing life insurance under this act the company shall have the same powers to transact business which were possessed by the applicant company prior to its reincorporation under this act

Section 10 After the date specified in the notice and advertisement referred to in section 7 hereof the new mutual life insurance company shall satisfy the Insurance Commissioner after an examination that it has paid the prorata unearned premiums due to any dissenting members who have cancelled their policies or contracts Upon being so satisfield the Insurance Commissioner shall certify that fact to the Secretary of the Commonwealth who shall thereupon issue a certificate of dissolution of the applicant mutual insurance company When the certificate of dissolution has been recorded in the recorder's office of the county in which the company is domiciled the applicant mutual insurance company shall cease to exist

Section 11 Unless otherwise specified in this act a mutual life insurance company formed under this act shall have and may exercise all the rights and privileges and shall be subject to all the requirements imposed upon mutual life insurance companies formed under the act of May 17 1921 (P. L. 682) known as "The Insurance Company Law of 1921" its supplements and amendments and shall be subject to all the provisions of the act of May 17 1921 (P. L. 789) known as "The Insurance Department Act of one thousand nine hundred and twenty-one" its supplements and amendments but it shall exercise no rights or privileges which other mutual life insurance companies may not exercise

Section 12 This act shall take effect immediately and shall expire on December 31 1957

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	McGinnis,	Seyler,	Wolfe,
Donolow,	Mallery,	Silvert,	Yosko,
Flack,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 985, as follows:

An Act amending the act of May 26 1949 (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" further prescribing the nature and kind of investments which may be made and retained by fiduciaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 act of May 26 1949 (P. L. 1828) known as the "Fiduciaries Investment Act of 1949" is amended to read

Section 8 Fractional [Interest in Mortgages] Interests

(a) Mortgages A fractional interest in an obligation naming a fiduciary as the obligee secured by one or more mortgages shall be an authorized investment for an estate of which the fiduciary is sole fiduciary or co-fiduciary if the whole of the obligation would be an authorized investment under the provisions of section seven of this act Appraisement of the real estate subject to the lien of such mortgage or mortgages need not be made concurrently with the acquisition of such fractional interest if (1) it is fractional interest in a mortgage referred to in clause (1) and (2) of section seven of this act or (2) an appraisement has been made within three years immediately preceding the acquisition in accordance with the requirements of clause (3) of section seven of this act and if a person qualified at the time of the acquisition to serve as an appraiser of the real estate shall certify in a writing to be preserved among the fiduciary's records that at the date of the acquisition the unpaid principal amount of the obligation does not exceed two-thirds of the fair value of the real estate

(b) Government Obligations A fractional interest in a government obligation the whole of which would be an authorized investment under section three of this act whether it be in bearer form or names the fiduciary as the obligee shall be an authorized investment for an estate of which the fiduciary is sole fiduciary or co-fiduciary

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeabley to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1144, as follows:

An Act amending the act of May 15 1933 (P. L. 796) entitled as amended "An act providing for the preservation of the records or photographic film reproductions or photographic or photostatic copies thereof of banks bank and trust companies trust companies savings banks private banks and national banking associations providing that such photographic film reproductions or

photographic or photostatic copies shall be admissible in evidence equally and with the same force and effect as the original records providing a means for the final adjustment and settlement of depositors' accounts saving certain parts of acts from repeal and imposing penalties for violations" providing further for the preservation of records and their admissibility in evidence

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act of May 15 1933 (P. L. 796) entitled as amended "An act providing for the preservation of the records or photographic film reproductions or photographic or photostatic copies thereof of banks bank and trust companies trust companies savings banks private banks and national banking associations providing that such photographic film reproductions or photographic or photostatic copies shall be admissible in evidence equally and with the same force and effect as the original records providing a means for the final adjustment and settlement of depositors' accounts saving certain parts of acts from repeal and imposing penalties for violations" amended by the act of June 28 1951 (P. L. 898) is hereby amended to read

Section 1 Be it enacted &c That every bank bank and trust company trust company and savings banks incorporated under the laws of this Commonwealth and every private bank and every national banking association transacting business within this Commonwealth shall preserve in such form and manner that they may be readily produced upon proper demand all its records of original or final entry including [cards used under the card system and] deposit or withdrawal slips or tickets for a period of seven years from the date of making the last entry on the same [Provided however That this] This act shall [not] be construed to [prevent] permit the preservation of photographic film reproductions or photographic or photostatic copies of ledger records of depositors' accounts in lieu of the original of such ledger records All other records of original and final entry including deposit or withdrawal slips or tickets shall be preserved in original form for a period of two years from the date of making the last entry thereon and thereafter they shall be preserved for a further period of five years either in original form or in the form of photographic film reproductions or photographic or photostatic copies Any photogaphic film reproduction or photographic or photostatic copy of such ledger record of a depositor's account shall be admissible in evidence in any proceeding equally and with the same force and effect as the original record and all other photographic film reproductions or photographic or photographic copies of original and final entry including depositor withdrawal slips or tickets shall be admissible in evidence equally and with the same force and effect as the original records in any proceeding which occurs after the expiration of the two-year period prescribed for the retention of records of original and final entry

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McGinnis,	Silvert,
Barr,	Haluska,	McMenamin,	Stevenson,
Berger,	Harney,	McPherson, Jr.,	Stiefel,
Blass,	Hays,	Miller,	Taylor,
Camiel,	Holland,	Mullin,	Van Sant,
Chapman,	Kessler,	Pechan,	Wade,
Derk,	Kopriver, Jr.,	Peelor,	Wagner,
Davis,	Lane,	Propert,	Watkins,
Dent,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Flack,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1172, as follows:

An Act amending the act of June 14 1923 (P L 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" prohibiting the use of a fictitious or assumed name for the purpose of participating in any amateur boxing match or exhibition

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 12 act of June 14 1923 (P L 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" amended May 18 1945 (P L 634) is amended to read

Section 12 Age of Participant and Spectators Fictitious Names No person under the age of eighteen years shall participate in any boxing sparring or wrestling match or exhibition Provided That persons sixteen and seventeen years of age may participate in amateur boxing sparring and wrestling matches or exhibitions with other persons not over seventeen years of age under such regulations as the State Athletic Commission shall prescribe No children under fourteen years of age shall be permitted to attend such matches as spectators and no children between fourteen and sixteen years of age shall be permitted to so attend unless accompanied by their parents or guardian No person shall use a fictitious or assumed name for the purpose of participating in any amateur boxing match or exhibition unless such fictitious or assumed name is first registered with the Pennsylvania Boxing Commission

Whoever violates any of the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay the cost of prosecution and a fine not exceeding one hundred dollars ($100) for each such offense and in default of the payment thereof shall be imprisoned for a period not exceeding sixty (60) days

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1212, as follows:

An Act amending the act of May 4 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing the burgess of a borough to request that matters upon which the council has cast a tie or split vote be tabled until a special session of the council and to cast the deciding vote if necessary at that time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1003 act of May 4 1927 (P. L. 519) known as "The Borough Code" reenacted amended and revised July 10 1947 (P. L. 1621) amended July 19 1951 (P. L. 1026) is amended to read

Section 1003 When the Burgess May Preside Over Councli and Vote Attendance of Burgess at Council Meetings Breaking Tie Votes The burgess shall preside over the organization of the council until it is organized as provided in section 1001 and he shall be deemed a member of council at the organization meeting if his membership becomes necessary to constitute a quorum but he shall not vote thereat unless his vote shall for any reason whatsoever be required to effect the organization of council or to elect any officer who is required to be or may be elected at the organization meeting In case of the unavoidable absence of the burgess at the organization members present at the meeting shall preside
meeting one of the members of council chosen by the

The burgess shall attend all regular meetings of council unless detained by sicknes or prevented by necessary absence from the borough In all cases where by reason of a tie or split vote the council of any borough shall be unable to enact or pass any ordinance resolution or motion or to declare or fill any vacancy in its membership or in any other borough office or to take any action or any matter lawfully brought before it the burgess may at his option cast the deciding vote or request that the matter be tabled until a special meeting of council to be held within not less than five days nor more than ten days at which time the matter shall be reconsidered by council and if a tie or split vote still exists it shall be the duty of the burgess [of such borough] at that time to cast the deciding vote

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stiefel,
Barr,	Haluska,	McPherson, Jr.,	Stevenson,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. SILVERT. Mr. President, I wish to call to the attention of the Senate that Senate Bill No. 355, which is identical to House Bill No. 1227, passed the Senate some time ago, and has been signed by the Governor and is now law.

Therefore, Mr. President, I move that House Bill No. 1227, on third reading, entitled:

An Act regulating the recording of all instruments in writing by the Commissioner of Records in the City of Philadelphia and repealing inconsistent laws

be recommitted to the Committee on Local Government.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1259, as follows:

An Act authorizing the commitment to the Department of Public Welfare in any city of the first class persons convicted of crimes and sentences by courts situate within such city to a city or county penal institution where such Department has established a correctional diagnostic and classification service and authorizing the transfer of prisoners between such institutions by the Department

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Every person hereafter sentenced by any court to any city or county penal institution situate in a city of the first class shall be committed to the custody of the Department of Public Welfare of such city where such Department has established a correctional diagnostic and classification service for persons convicted of any crime

Section 2 Every person committed to the custody of such Department of Public Welfare shall be confined diagnosed and classified by the said Department Upon the completion of such diagnosis and classification such person shall be placed in the city or county penal institution determined to be most appropriate for the service of sentence In making such determination the Department shall consider the problem of rehabilitation security adequacy of facilities and such other factors as in its opinion will serve to promote the rehabilitation of prisoners consistent with the security and protection of the county

Section 3 The Department shall have authority to transfer between any penal institutions under its control or supervision any prisoner confined in any such institution and serving a sentence therein whether imposed before or after the effective date of this act if such transfer is in the opinion of the Department consistent with the standards for original placement set forth in Section 2

Section 4 All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affiramtive.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1350, Printer's No. 431, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1361, as follows:

An Act authorizing the creation of regional planning commissions by counties cities boroughs towns or townships authorizing interstate participation in regional planning under certain conditions and conferring powers and imposing duties on regional planning commissions The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

ARTICLE I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as the "Regional Planning Law"

Section 102 Definitions As used in this act

(1) "Political subdivision" means any county city borough incorporated town or township of this Commonwealth

(2) "Region" means an area comprised of two or more political subdivisions which have joined in creating a regional planning commission

(3) "Legislative body" means the body or board authorized by law to enact ordinances or adopt resolftions for the political subdivision

(4) "Commission" means a regional planning commission created in accordance with the terms of this act

ARTICLE II

Regional Planning

Section 201 Legislative Finding and Declaration of Policy For the purpose of promoting health safety morals and the general welfare of the regions in the Commonwealth through the effective development of such regions

Section 202 Creation Appointment and Operation of Regional Planning Commission (a) The legislative body of two or more political subdivisions may by ordinance or resolution authorize the establishment or membership in and support of a regional planning commission The number and qualifications of the members of any regional planning commission and their terms and method of appointment or removal shall be such as may be determined and agreed upon by the legislative bodies a majority of the members of the regional planning commission shall hold no other public office or position excepting appointive membership on a municipal or other planning commisison Members of a regional planning commission shall serve without salary but may be paid expenses incurred in the performance of their duties The regional planning commission shall elect a chairman whose term shall ont exceed one year and who shall be eligible for reelection The commission may create and fill such other officers as it may determine

(b) Every regional planning commission shall adopt rules for the transaction of business and shall keep a record of its resolutions transactions findings and determinations which record shall be a public record Every political subdivision may from time to time upon the request of the regional planning commission assign or detail to the commission any employes of a political subdivision to make special surveys or studies requested by the commission

Section 203 Finances Staff and Program (a) The legislative bodies of political subdivisions shall have the authority to appropriate funds for the purpose of contributing to the operation of a regional planning commission The regional planning commission may with the consent of the Legislative body also receive grants from the Federal or State governments and shall have the authority to contract therewith Every regional planning commission shall have the power to appoint such employes and staff as it may deem necessary for its work and contract with planners and other consultants for the services it may require A regional planning commission may also perform planning services for any political subdivision which is not a member thereof and may charge fees for the work A commission may also prepare and sell maps reports bulletins or other material and establish reasonable charges therefor

(b) The regional planning commission may provide planning assistance and do planning work including surveys land use studies urban renewal plans technical services and other elements of comprehensive planning programs in and for any counties cities boroughs townships or towns within the region and for this purpose may accept and utilize any funds personnel or other assistance made available by the Federal or state governments or any of their agencies and for the purposes of receiving and using Federal or State planning grants for provision of urban planning assistance may enter into agreements or contracts regarding the acceptance or utilization of the funds or assistance

Section 204 Regional Planning Commission to Prepare Master Plan It shall be the function and duty of every regional planning commission to prepare a master plan and the surveys and studies essential thereto for the guidance of the physical development of the region

Section 205 Cooperation between Regional Planning Commission Political Subdivisions and Others Every regional planning commission shall encourage the cooperation of the political subdivisions within the region in matters which concern the integrity of the master plan or maps prepared by the commission and as an aid toward coordination all political subdivisions and public officials shall upon request furnish to the regional planning commission within a reasonable time the available maps plans reports statistical or other information it may require for its work

Section 206 Interstate Participation Wherever a regional planning commission has been or is being established to serve the Pennsylvania portion of an area which for planning purposes constitutes a logical region in the opinion of the State Planning Board and is approved by the board and which extends beyond the boundaries of the Commonwealth the commission may admit to membership counties or political subdivisions that are part

of the same region but located in other states Political subdivisions may participate through membership and financial support in regional planning commissions that have been or are being established in other states when the political subdivisions are part of the same region served by the out-of-state regional planning commission

Section 207 Established Regional Planning Commissions Political subdivisions which are presently participating in an existing regional planning commission may elect to comply with and be governed by the provisions of this act

Section 208 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affiramtive.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1473, as follows:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" clarifying the taxing power of school districts of the second third and fourth classes to pay the minimum salaries and increments of the teaching and supervisory staff

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section 672 act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" amended January 18, 1952 (P. L. 2126) and January 21, 1952 (P. L. 2195) is amended to read

Section 672 Tax Levy Limitations

* * * * *

(b) Boards of school directors of districts of the second third and fourth classes are hereby authorized and directed to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein (1) to pay up to and including the full amount of the minimum salaries and increments of the teaching and supervisory staff provided for herein and (2) to pay rentals due any municipality authority or due the State Public School Building Authority The tax levied to pay the minimum salaries and increments of the teaching and supervisory staff shall not be invalidated or affected by reason of the fact that in determining the amount to be raised by such tax for the payment of minimum salaries and increments no deduction was made for appropriations or reimbursements paid or payable by the Commonwealth to the School District which are applicable directly or indirectly to the minimum salaries and increments Neither of said taxes shall be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the millage fixed or limited by this section Provided That in districts of the fourth class the tax herein authorized to pay minimum salaries and increments together with all other school taxes except taxes to pay rentals due any municipality authority or due the State Public School Building Authority levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and the tax to pay rentals due any municipality authority or due the State Public School Building Authority together with the maximum rate permitted by this section for purposes oher than to pay minimum salaries and increments shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and in cases of emergency with the approval of the Superintendent of Public Instruction an additional five (5) mills to provide for obligations due any municipality authority or due the State Public School Building Authority under a lease or contract previously entered into

In financially handicapped and distressed school districts boards of school directors of such districts are authorized to levy an additional tax of ten (10) mills on each dollar of the total assessment of all property assessed and certified for taxation Provided however That the following conditions and provisions are complied with the Department of Public Instruction shall determine (1) by investigation that the district is financially handicapped and distressed (2) that all taxable property in the district has been levied upon (3) that all other taxes available to the district and deemed advisable by the Superintendent of Public Instruction have been utilized (4) that the district has complied with economical standards set forth by the Department of Public Instruction as determined prior to January 1, 1952 including (a) that the ratio of teachers to pupils shall not exceed one to twenty-five (b) that the cost of administration and operation shall not exceed the average of disricts of the same class within the same county and shall be in compliance with good business practices

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McPherson, Jr.,	Stevenson,
Barr,	Haluska,	McMenamin,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affiramtive.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1501, Printer's No. 938, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1512, as follows:

An Act authorizing cooperative returns of parole and probation violators and the making of contracts or deputization of persons pursuant thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The chairman of the Pennsylvania Board of Parole is hereby authorized and empowered to deputize any person to act as an officer and agent of this State in effecting the return of any person who has violated the terms and conditions of parole or probation as granted by this State In any matter relating to the return of such a person any agent so deputized shall have all the powers of a police officer of this State

Section 2 Any deputization pursuant to this statute shall be in writing and any person authorized to act as an agent of this State pursuant hereto shall carry formal evidence of his deputization and shall produce the same upon demand

Section 3 The chairman of the Pennsylvania Board of Parole is hereby authorized subject to the approval of the Auditor General to enter into contracts with similar officials of any other state or states for the purpose of sharing an equitable portion of the cost of effecting the return of any person who has violated the terms and conditions of parole or probation as granted by this State

Section 4 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affiramtive.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1613, as follows:

An Act to further amend section 1 of the act approved the thirteeth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thouansd eignt hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by requiring every title insurance or trust company bank and trust company or trust company to compute and pay the State tax on shares of capital stock when making reports and extending the date for making such reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) enittled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-nine Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the twentieth day of July one thousand nine hundred fifty-three (P. L. 515) is hereby further amended to read as follows

Section 1 Be it enacted and c That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation

and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under any act of Assembly heretofore or hereafter approved except any such companies all of the shares of capital stock of which (other than shares necessary to qualify directors) are owned by a company which is liable to pay to the Commonwealth a tax on shares shall on or before the fifteenth day of [February] March in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two to assess such shares for taxation at the rate of eight mills upon each dollar of the actual value thereof and for the calendar year ending December thirty-first one thousand nine hundred forty-three at the rate of five mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value thereof and for the calendar year ending fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares

It shall be the duty of every such company [within a period of thirty days after the date of such settlement by the Department of Revenue at its option] at the time of making every report required by this section to compute the tax and to pay the amount of said tax to the State treasurer through the Department of Revenue either from its general fund or [to collect] from the amount of said tax collected from its shareholders [and pay the same to the State Treasurer through the Department of Revenue] Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revnue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall be applicable to reports required to be filed for the tax year ending December thirty-first one thousand nine hundred and fifty-five and thereafter

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stiefel,
Barr,	Haluska,	McPherson, Jr.,	Stevenson,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affiramtive.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1620, as follows:

An Act amending the act of June 11 1935 (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of June 11 1935 (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" amended May 21 1943 (P. L. 294) is amended to read

Section 1 Be it enacted &c Definition The term "deceased service persons" as used in this act shall be defined and construed to mean and include

(1) Any deceased person who at the time of his or her death was serving (whether or not in a combat zone) in the Army Navy Marine Corps or Coast Guard during any war or armed conflict in which the United States has been is now or shall hereafter be engaged or who at the time of his or her death was serving in a zone where a campaign or state or condition of war or armed conflict then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war or armed conflict and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war or armed conflict existed shall in each case be established by the records of the War or Naval Departments of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose separation from such service was honorable whether by discharge or otherwise or who at the time of his or her death was continuing in such service after the cessation of the war armed conflict campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and has been honorably discharged or relieved from such service

The term "legal residence" as used in this act shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and

establish a new one The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1621, as follows:

An Act amending the act of May 2 1929 (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing collection of data concerning deceased veterans of armed conflicts authorizing the erection of monuments for and giving retirement benefits to veterans of armed conflicts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section 320 act of May 2 1929 (P. L. 1278) known as "The General County Law" amended May 31 1947 (P. L. 354) is amended to read

Section 320 Persons Entitled to Retirement Allowances

* * *

(c) Any county employe who has been employed by the county for a period of six months and who thereafter shall enlist in or be inducted into the military service of the United States in time of war armed conflict or national emergency so proclaimed by the President of the United States shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war armed conflict or national emergency and such payments as are required to be made by such county employe into the county employes' retirement fund shall be paid into such fund by the county

Section 2 Subsection (c) of section 439 of the act amended April 14 1949 (P. L. 466) is amended to read

Section 439 Compilation of War Records * * *

(c) For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war or armed conflict in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion the Disabled American Veterans the American Veterans of World War II (AMVETS) and the Marine Corps League through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificate embodying the information provided for in this section For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a director of veterans affairs who shall receive such compensation as the salary board may fix in counties where such boards exist otherwise by the county commissioners

* * *

Section 3 Section 590 of the act amended May 18 1945 (P. L. 806) is amended to read

Section 590 Monuments and Memorials to War Veterans The board of commissioners may appropriate money for and provide for the erection of monuments or memorials commemorating the services of any person who has served in the armed forces of the United States or in any women's organization officially connected therewith during any part of the war in which the United States is now engaged or in any war or armed conflict in which the United States has been or may hereafter be engaged The style and character of such monuments or memorials shall be approved by the State Art Commission

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Madigan,	Propert,	Watkins,
Dent,	Kopriver, Jr.,	Ruth,	Watson,
Derk,	Lane,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1622, as follows:

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 421 act of May 2 1929 (P. L. 1278) known as "The General County Law" amended April 10, 1945 (P. L. 178) is amended to read

Section 421 Definitions The term "deceased service persons" as used in this act shall be defined and construed to mean and include

(1) Any deceased person who at the time of his or her death was serving (whether or not in a combat zone) in the Army Navy Marine Corps Coast Guard or any

women's organization officially connected therewith during any war or armed conflict in which the United States has been is now or shall hereafter be engaged or who at the time of his or her death was serving in a zone where a campaign or state or condition of war or armed conflict then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war or armed conflict and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war or armed conflict existed shall in each case be established by the records of the War or Naval Departments of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose separation from such service was honorable whether by discharge or otherwise or who at the time of his or her death was continuing in such service after the cessation of the war armed conflict campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuant of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and has been honorably discharged or relieved from such service

The term "legal residence" as used in this act shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one The legal residence of a deceased service person shall be prima facia in the county where he or she made his or her abode at the time of his or her death

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1623, as follows:

An Act amending the act of May 2, 1929 (P. L. 1278), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighh classes and revising amending and consolidating the laws relating thereto" extending retirement benefits to veterans of armed conflicts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section 320 act of May 2, 1929 (P. L. 1278) known as "The General County Law" amended May 31, 1947 (P. L. 354) is amended to read

Section 320 Persons Entitled to Retirement Allowances

* * *

(c) Any county employe who has been employed by the county for a period of six months and who thereafter shall enlist in or be inducted into the military service of the United States in time of war or national emergency so proclaimed by the President of the United States or shall serve in the military service of the United States during any armed conflict shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war armed conflict or national emergency and such payments as are required to be made by such county employe into the county employes' retirement fund shall be paid into such fund by the county

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1625, as follows:

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" extending civil service preference to veterans of armed conflicts

The General Assembly of the Commonwealth of Pennsylvania herebye enacts as follows

Section 1 The title act of May 22 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" amended June 25, 1947 (P. L. 939) is amended to read

An Act providing for and requiring in certain cases preference in appointments to and retention in public position or on pjublic works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged and in certain cases for the widows and wives of such persons

Section 2 Section 1 of the act is amended to read

Section 1 The word "soldier" as used in this act shall be construed to mean a person who served in the armed forces of the United States or in any women's organization officially connected therewith during any war or armed conflict in which the United States engaged and who has an honorable discharge from such service

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1626, as follows:

An Act amending the act of May 21, 1943 (P. L. 302) entitled as amended "An act providing for the admission of children to and their education and maintenance in and their discharge from the Scotland School for Veterans' Children prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Scotland School for Veterans' Children and prescribing penalties" extending its provisions to children of veterans of armed conflicts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of May 21 1943 (P. L. 302) entitled as amended "An act providing for the admission of children to and their education and maintenance in and their discharge from the Scotland School for Veterans' Children prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Scotland School for Veterans' Children and prescribing penalties" amended May 24, 1951 (P. L. 351) is amended to read

Section 1 The Board of Trustees of the Scotland School for Veterans' Children shall admit to the Scotland School for Veterans' Children under such rules and forms of application as it may adopt children over six (6) and under fourteen (14) years of age of parents who have resided in this Commonwealth for a continuous period of not less than five years prior to application for admission of such children or prior to the death of the last survivor of such parents and one or both of whose parents has served in any branch of the armed forces of the United States during any war or armed conflict in which the United States has been is now or may hereafter be engaged or in any movement or campaign in connection therewith or resulting therefrom and has died in such service or has been honorably discharged therefrom

Preference in admission shall be as follows (1) Children both of whose parents are dead (2) children whose fathers are dead and whose mothers are living (3) Destitute children not being in either of the two foregoing classes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1690, as follows:

An Act amending the act of May 21 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" extending its provisions to veterans of armed conflicts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of May 21 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in each and compensation cases and prescribing penalties" amended May 16 1945 (P. L. 576) is amended to read

Section I Whenever application shall be made to the proper county officer by or on behalf of any disabled war veteran or member of the armed forces of any war or armed conflict in which the United States has been is now or shall hereafter be engaged or by or on behalf of any dependent of any such veteran or member of the armed forces for a certified copy of any death certificate birth certificate marriage certificate or decree of divorce for use in connection with any claim for death benefits compensation allowance family or dependency allotment it shall be the duty of such county officer to furnish such certified copy free of any charge therefor provided for by any law of this Commonwealth provided that no divorce certi-

ficate shall be issued under this act unless said divorce action record shows all costs fully paid Provided That where any county office issues any certificate under this act that said office shall be given an earned credit for the same by proper authorities as if the fee for said certificate had been received from person or persons applying therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	M'ller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1707, Printer's No. 842, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1723, as follows:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that State policemen assigned to duty with the Pennsylvania Turnpike Commission shall not be counted against the total number of officers and men in the State Police Force

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-ninth day of July one thousand nine hundred fifty-three (P. L. 1006) is hereby further amended to read as follows

Section 205 Pennsylvania State Police The Pennsylvania State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania State Police shall receive a salary at the rate of fifteen thousand dollars per annum

The Deputy Commissioner of the Pennsylvania State Police shall be appointed by the Commissioner of Pennsylvania State Police with the approval of the Governor and shall receive a salary at the rate of ten thousand dollars per annum

The State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time one thousand nine hundred (1900) persons and Provided further That State policemen both officers and men assigned to duty with the Pennsylvania Turnpike Commission shall not be counted in determining the total number of officers and men in the State Police Force

The members of the State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1726, Printer's No. 954;
House Bill No. 1751, Printer's No. 898; and
House Bill No. 1763, Printer's No. 996.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1834, as follows:

An Act making an appropriation to the Senate and House of Representatives of the General Assembly for the payment of salaries of officers and employees mileage of members and incidental expenses for the balance of the legislative session of 1955

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as is necessary are appropriated to the Senate and House of Representatives of the General Assembly for the purposes hereinafter set forth for the balance of the legislative session of 1955 The sums hereby appropriated shall be in addition to any sums heretofore appropriated for the purposes

To the Senate

For the payment of the salaries of the officers and employes of the Senate session of one thousand nine hundred fifty-five also for the payment of the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the Senate whose present salaries are provided for in this section the sum of twenty thousand dollars ($20,000)

For the Payment of mileage of fifty Senators the sum of four thousand dollars ($4,000)

For the payment of incidental expenses of the Senate to be expended by the Chief Clerk the sum of six thousand dollars ($6,000)

To the House of Representatives

For the payment of the mileage of two hundred ten members of the House of Representatives the sum of thirty-nine thousand one hundred dollars ($39,100)

For the payment of incidental expenses of the House of Representatives to be expended by the Chief Clerk the sum of fifteen thousand dollars ($15,000)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Fleming,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Berger,	Harney,	Miller,	Taylor,
Blass,	Hays,	Mullin,	Van Sant,
Camiel,	Holland,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Davis,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Lane,	Ruth,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
Diehm,	Mahany,	Scott,	Whalley,
DiSilvestro,	Mallery,	Seyler,	Wolfe,
Donolow,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SECOND READING CALENDAR

BILLS ON SECOND READING CALENDAR OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, all of which are on second reading, go over in their order:

House Bill No. 114, Printer's No. 1131;
Senate Bill No. 188, Printer's No. 370;
Senate Mill No. 242, Printer's No. 371;
Senate Bill No. 316, Printer's No. 372;
Senate Bill No. 318, Printer's No. 388;
Senate Bill No. 335, Printer's No. 373;
Senate Bill No. 381, Printer's No. 374;
Senate Bill No. 383, Printer's No. 375;
Senate Bill No. 446, Printer's No. 376;
Senate Bill No. 681, Printer's No. 377;
House Bill No. 756, Printer's No. 1133;
Senate Bill No. 819, Printer's No. 378;
Senate Bill No. 828, Printer's No. 389;
Senate Bill No. 830, Printer's No. 324;
Senate Bill No. 831, Printer's No. 325;
Senate Bill No. 832, Printer's No. 326;
Senate Bill No. 834, Printer's No. 379;
Senate Bill No. 836, Printer's No. 351;
Senate Bill No. 841, Printer's No. 380;
Senate Bill No. 842, Printer's No. 381;
House Bill No. 844, Printer's No. 1129;
Senate Bill No. 853, Printer's No. 382;
House Bill No. 856, Printer's No. 248;
Senate Bill No. 857, Printer's No. 383;

Senate Bill No. 862, Printer's No. 384;
Senate Bill No. 877, Printer's No. 385;
House Bill No. 986, Printer's No. 1022;
House Bill No. 1160, Printer's No. 1162;
House Bill No. 1174, Printer's No. 1160;
House Bill No. 1188, Printer's No. 797
House Bill No. 1222, Printer's No. 1161;
House Bill No. 1223, Printer's No. 1163;
House Bill No. 1294, Printer's No. 1134;
House Bill No. 1319, Printer's No. 880;
House Bill No. 1330, Printer's No. 800;
House Bill No. 1378, Printer's No. 536;
House Bill No. 1392, Printer's No. 433;
House Bill No. 1722, Printer's No. 1029;
House Bill No. 1736, Printer's No. 956;
House Bill No. 1737, Printer's No. 993; and
House Bill No. 1790, Printer's No. 1004.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 867, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; . . .," permitting the sale and possession of wine in packages not bearing the official seal of the board.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, December 5, 1955, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. BANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:12 o'clock, p.m., Eastern Standard Time, until Monday, December 5, 1955, at 2:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, November 30, 1955.

The House met at 4:30 p. m.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend Harold J. Crouse, Pastor of Trinity Lutheran Church, York, offered the following prayer:

Almighty and ever blessed God, as the Representatives of this Assembly begin the work of another day, grant that they may be surrounded by Thy wonderful loving kindness and be loyal in Thy service standing alone in Thy strength. Grant that we may be christian not only in our words but also in our deeds. That we may bravely follow in the footsteps of our Master wherever they may lead. That our thinking may be keen, our speech frank and open and our actions courageous and decisive.

O Lord, we pray for Thy grace and mercy to be upon all who today are engaged in settling affairs of moment in the lives of men and nations; for all who are moulding public opinion in our time; for all who are faced in making great decisions; for all who are holding aloft the lamp of truth in a world of ignorance and sin;

O Christ, our Lord, hear us and dwell within each one of us so that we may glorify Thee, Father, Son and Holy Spirit. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, November 14, 1955? If not, and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, November 23, 1955, will be postponed until printed. The Chair hears none.

SENATE MESSAGE

RECALLING SENATE BILL No. 218 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 28, 1955.

Resolved (if the House of Representatives concur), That Senate Bill No. 218, Printer's No. 63, entitled "An act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by providing for the method of valuation of taxable shares of stock in any regulated investment company.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RECALLING SENATE BILL No. 531 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 22, 1955.

Resolved (if the House of Representatives concur), That Senate Bill No. 531, Printer's No. 185, entitled "An act amending the act of May 3, 1909 (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" providing for and regulating the granting of easements in across and under the beds of navigable rivers for sewer lines and other facilities of sewage treatment systems

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

RECALLING HOUSE BILL No. 834 FROM THE GOVERNOR

Mr. READINGER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, November 30, 1955.

Resolved (if the Senate concur), that House Bill No. 834, Printer's No. 1036, entitled "An act amending the act of May 9, 1949 (P. L. 927) entitled 'An act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes for their official acts and the services of their deputies, watchmen, appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor, requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees, commissions, mileage and other costs, requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws, general, special or local' changing fees, commissions, mileage and other costs chargeable by sheriffs," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 1105 FROM THE GOVERNOR

Mr. READINGER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, November 30, 1955.

Resolved (if the Senate concur), that House Bill No.

1105, Printer's No. 531, entitled "An act providing for acceptance as a donation of a building known as Patients Store and Library at the Norristown State Hospital this structure to be owned and maintained by the Commonwealth as a part of the Norristown State Hospital," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 171.

An Act amending the act of July seven, one thousand eight hundred seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act" enlarging the jurisdiction of aldermen magistrates and justices of the peace.

HOUSE BILL No. 342.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" exempting and limiting the number of motor vehicles of war amputees from the payment of title or registration fees.

HOUSE BILL No. 619.

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" decreasing minimum number of employes who may be covered by policies issued to any employer or to trustees of a fund established by an employer.

HOUSE BILL No. 662.

An Act amending the act of May 5, 1933 (P. L. 289) entitled "An act relating the nonprofit corporation defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" empowering nonprofit corporations to transfer their property and assets in trust

HOUSE BILL No. 734.

An Act amending the act of June 14, 1935 (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax making it unlawful to possess cigarettes upon which the tax has not been paid conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" exempting cigarettes purchased for gratuitous issue to veteran patients in State and State-aided hospitals

HOUSE BILL No. 737.

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising and consolidating the laws relating thereto" providing rooms for use of the American Gold Star Mothers Inc and for certain ladies auxiliaries.

HOUSE BILL No. 738.

An Act amending the act of July 8, 1919 (P. L. 784 No. 321) entitled "An act authorizing counties cities and boroughs to furnish rooms in public buildings for meeting places for certain organizations" including certain ladies auxiliaries and the American Gold Star Mothers Inc within provisions of act

HOUSE BILL No. 740.

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" extending civil service preference to veterans of armed conflicts

HOUSE BILL No. 914.

An Act reenacting and amending the act of May 23, 1949 (P. L. 1661) entitled as amended "An act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses" extending the act to include school districts of the first class A

HOUSE BILL No. 1079.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" further providing for defining and regulating the issuance of group blanket and franchise accident and sickness insurance

HOUSE BILL No. 1331.

An Act amending the act of May 17, 1921 (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" changing provisions relating to fees

HOUSE BILL No. 1461.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" exempting the YMCA and YWCA from vehicle registration and title fees

HOUSE BILL No. 1729.

An Act amending the act of May 5, 1933 (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing for the incorporation and regulation of nonprofit dental service corporations furnishing dental services only to certain subscribers and their dependents

HOUSE BILL No. 1730.

An Act providing for the regulation and supervision of nonprofit dental service corporations organized to provide dental services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the dental service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of dental surgery to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit dental service corporation from providing dental services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act

HOUSE BILL No. 1747.

An Act to further amend clause (a) of section five hundred ten of the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making an editorial correction and changing the time for beginning use of registration plates for certain vehicles

HOUSE BILL No. 1779.

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventh day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and interinsurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by continuing the provisions of that section in effect for a further period

With the information that the Senate has passed the same without amendment.

TEACHERS DELEGATION WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of Teachers from the Wilson Borough and Area School District of Northampton County. They are the guests of the Members from Northampton County, Mrs. Reibman, Mr. Gaffney, Mr. Pacchioli and Mr. Bucchin.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been pre-

pared for presentation to the Governor, and the same being correst, the titles were publicly read as follows:

HOUSE BILL No. 171.

An Act amending the act of July seven one thousand eight hundred seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act" enlarging the jurisdiction of aldermen magistrates and justices of the peace

HOUSE BILL No. 342.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of perscribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" exempting and limiting the number of motor vehicles of war amputees from the payment of title or registration fees

HOUSE BILL No. 619.

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" decreasing minimum number of employes who may be covered by policies issued to any employer or to trustees of a fund established by an employer

HOUSE BILL No. 662.

An Act amending the act of May 5, 1933 (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" empowering nonprofit corporations to transfer their property and assets in trust

HOUSE BILL No. 734.

An Act amending the act of June 14, 1935 (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax making it unlawful to possess cigarettes upon which the tax has not been paid conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" exempting cigarettes purchased for gratuitous issue to veteran patients in State and State-aided hospitals

HOUSE BILL No. 737.

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing rooms for use of the American Gold Star Mothers Inc. and for certain ladies' auxiliaries

HOUSE BILL No. 738.

An Act amending the act of July 8, 1919 (P. L. 784, No. 321) entitled "An act authorizing counties cities and boroughs to furnish rooms in public buildings for meeting places for certain organizations" including certain ladies' auxiliaries and the American Gold Star Mothers Inc. within provisions of act

HOUSE BILL No. 740.

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" extending civil service preference to veterans of armed conflicts

HOUSE BILL No. 914.

An Act reenacting and amending the act of May 23, 1949 (P. L. 1661) entitled as amended "An act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses" extending the act to include school districts of the first class A

HOUSE BILL No. 1079.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" further providing for defining and regulating the issuance of group blanket and franchise accident and sickness insurance

HOUSE BILL No. 1331.

An Act amending the act of May 17, 1921 (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" changing provisions relating to fees

HOUSE BILL No. 1461.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators theerof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" exempting the Y M C A and Y W C A from vehicle registration and title fees

HOUSE BILL No. 1729.

An Act amending the act of May 5, 1933 (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consoliation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing for the incorporation and regulation of nonprofit dental service corporations furnishing dental services only to certain subscribers and their dependents

HOUSE BILL No. 1730.

An Act providing for the regulation and supervision of nonprofit dental service corporations organized to provide dental services to subscribers of low income by the Department of Health and the insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the dental service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of dental surgery to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit dental service corporation from providing dental services on a nonprofit plan in return for prepayment periodicals or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act

HOUSE BILL No. 1747.

An Act to further amend clause (a) of section five hundred ten of the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tratcors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by making an editorial correction and changing the time for beginning use of registration plates for certain vehicles

HOUSE BILL No. 1779.

An Act to further amend subsection (f) of Section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyd associations reciprocal and interinsurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by continuing the provisions of that section in effect for a further period

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1572.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 30, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1572, Printer's No. 1091, entitled "An Act relating to coal mining well operations and the underground storage of gas except in storage reservoirs excavated in rock formations specifically for storage purposes and the safety of personnel and facilities employed therein prescribing the rights and duties of well operators before during and after the drilling of wells for the production extraction or storage of any gas petroleum or other liquid regulating the underground storage of gas under workable coal seams prescribing the rights and duties of owners and operators of coal mines in relation to wells and underground storage areas granting certain corporations a limited right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas creating the Oil and Gas Division of the Department of Mines and

defining its personnel powers and duties providing for hearings and the procedures to be followed therein and imposing duties upon the courts and providing methods for the enforcement of the provisions of this act and imposing penalties."

GEORGE M. LEADER.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 813.

An Act amending the act of October 27, 1955 (Act No. 222) entitled "Pennsylvania Fair Employment Practice Act" providing that termination of employment under a bona fide retirement or pension plan shall not constitute an unfair employment practice.

Referred to the Committee on Rules.

SENATE BILL No. 837.

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system . . ." increasing the amount of retirement or compensation payments to persons now retired receiving survivor annuities or State compensation under the public school employes' retirement system in conformity with provisions of amendment of section II of Article 3 of the Constitution.

Referred to the Committee on Rules.

SENATE BILL No. 838.

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system . . ." providing for minimum retirement allowances for present beneficiaries and appropriations for payment of the costs thereof in conformity with provisions of amendment of Section II of Article 3 of the Constitution.

Referred to the Committee on Rules.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Farabaugh for Mr. ROVANSEK because of illness.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, rather than take the time of the House with a 52 page calendar, I ask unanimous consent to submit the following remarks to be printed in the Legislative Journal.

The SPEAKER. Without objection, the remarks will be printed in the Journal.

Mr. WORLEY. Mr. Speaker, House Bill No. 1680 of the 1955 Regular Session of the Pennsylvania General Assembly was sponsored and introduced by me and it provides, exclusive of the title and the enacting clause, as follows:

> "Section 1 On and after the passage of this act it shall be unlawful for any court judge jury body or person to impose a sentence under which any person is to suffer death by electrocution hanging or any other means
>
> "Section 2 Where any statute now provides that a death sentence shall be imposed the court shall impose a life sentence in lieu thereof."

This bill was introduced on July 1, 1955, and referred to the Committee on Judiciary of the House of Representatives on July 12, 1955. I had also introduced another bill, House Bill 134, to abolish capital punishment at the 1953 Regular Session of the Pennsylvania General Assembly; and as the Vice Chairman of the Criminal Law Revision Committee of the Joint State Government Commission, I also worked against and voted against capital punishment at revision committee meetings. This Criminal Law Revision Committee was created by my Resolution No. 2, Serial No. 15, of the 1945 Regular Session of the Pennsylvania General Assembly and which committee functioned during the Administrations of former Governors Martin and Duff.

Murder in the first degree is the only crime for which the death penalty can be imposed under Pennsylvania Law, and in first degree murder the jury shall determine whether the death penalty or life imprisonment shall be imposed. The Act of June 19, 1913, substituted electrocution in place of hanging in the execution of the death penalty. When hanging was used, Pennsylvania frequently had executions in public. An example of which was the hanging of Benjamin Stewart in Market Square of Harrisburg in February, 1824. This scene was like a county fair and it offended public decency to the extent that executions were thereafter performed away from the general public. It is of interest to note here that the Pennsylvania Legislature in 1793 appointed a committee to consider the abolition of the death penalty for murder and they strongly doubted whether in any case, capital punishment should be resorted to in the state. William Bradford, then Attorney General of Pennsylvania, expressed the opinion that death as a punishment should have no place in our jurisprudence. P. N. Osborne, Chaplain of Pennsylvania's Rockview Penitentiary, stated the following: "As Chaplain of Rockview Penitentiary, I have the painful duty of witnessing some of the executions that take place here . . . To me, capital punishment has come to be a crime of the first magnitude . . . I shall be pleased to join any movement and assist in any way to cause capital punishment to become in our beloved State of Pennsylvania an unatoned-for mistake in her annals of jurisprudence."

Mr. Speaker, I have given the subject of capital punishment much thought and I have no hesitation in saying that I do not regard the death penalty as essential to the security and well being of our Commonwealth and our citizens; on the contrary, I believe its total abolition and the greater certainty of conviction which would follow, would tend to lessen rather than to increase the crimes it is intended to prevent.

It is murder, not the murderer, that is the real problem. We cannot by killing one human being bring back to life the human being he killed, but we can do something practical toward preventing murder by more effective enforcement of the Fire-arms Laws, Drug Laws, etc. Let us put the cart behind the horse where it belongs. Let us prevent the killing in the first instance.

I am opposed to capital punishment because it is contrary to the Divine Law of love. I hold that there is some inner light of good in every person and that even the most

degraded can be salvaged by love and faith, wisdom and compassion. People are not made good by force, but by love. In years to come the people will look back to the day when capital punishment was believed in just as we regard the days when people believed in the burning of witches. The application of the death penalty is brutalizing and degrading to the public mind. It leaves no room for the reformation of character, which should be the principal aim of Criminal Law, nor for the revision of the sentence in the event of miscarriages of justice. Because execution of the death penalty is irrevocable and human judgment not infallible, innocent people have been put to death. Whether or not we are sitting on a jury in this Commonwealth which hands in the verdict of death, we must admit some share in the sentence since we, the citizens of this Commonwealth, have not elected enough members to the Pennsylvania Legislature who will actively support the abolition of capital punishment.

It was Thomas Mott Osborne who asserted that of thirty-nine men who were executed during the two years that he was Warden of Sing Sing, he was sure at least four were innocent. For every such case that happens to reach the light of day, how many poor, friendless mortals have been put to death legally with motives undiscovered? While alive, the convicted innocent person has hope, but after his death there is not usually enough incentive among his friends to agitate for further investigation. Warden Lawes of Sing Sing stated that judges and juries erred in thirteen per cent of original commitments for murder in the first degree.

Let us now look at how horrible these mistakes can be. For instance, you might have sat on the jury in Boston which convicted Cero Gangi of murder in November, 1927. You even might recall of this case. It was a case where a young, innocent Italian was doomed to die by twelve men—as responsible and as honest as you—for a crime which he did not commit. Cero Gangi was walking with his employer, Samuel Gallo, in the North End of Boston when a man in front of them, one Joseph Fantasia, was shot and killed. Running in terror from the scene of the crime, Cero lost his hat and it was chiefly on the evidence of a witness who had seen him "drop something," that he was convicted. Sentenced to die in the electric chair during the week of November 4, 1928, Cero was within four hours of death when the chance discovery of a missing witness by his brother, Cosimo, resulted in a reprieve. The testimony of this witness proved without a doubt that it was not Cero but his employer, Samuel Gallo, who had fired the shot. Although there was no evidence of Cero's implication in the crime, it was not until a year and a half later, in September, 1930, that he was officially exonerated and set free. Four brief hours had stood between Cero Gangi and death. Only the last-minute effort of Cosimo averted a horrible and irreparable mistake. Ask yourself what you would have felt had Cosimo not been in time and the discovery had come four hours later. You would have killed an innocent man—more brutally, more deliberately than the most cold-blooded murderer.

In conclusion may I suggest that it is up to us, the living citizens of Pennsylvania, to end this law which we permit to function. It is not only a relic of barbarism but costly to the taxpayers, unjust in its application and a failure as a deterrent. The death penalty has no place in modern civilization. It is a reproach to every thinking American Citizen.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 319, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" permitting the exchange of certain retail dispenser's licenses for liquor licenses and establishing procedure therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 776, entitled:

An Act reenacting and amending the title and act of June 27, 1939 (P. L. 1125) entitled as amended "An act providing for the regulation and supervision of nonprofit medical dental and osteopathic service corporations organized to provide medical dental or osteopathic services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical dental and osteopathic service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine doctors of dental surgery and doctors of osteopathy to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a non-profit medical dental and osteopathic service corporation from providing medical dental or osteopathic services on a non-profit plan in return for prepayment periodicals or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" including in the plan chiropody services and defining "chiropody services" for the purpose of this act only.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1082, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania, at Philadelphia, Penn-

sylvania, for defraying part of expenses of the 250th Anniversary Celebration of the birth of Benjamin Franklin.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1164, entitled:

An Act amending the act of April 9, 1929 (P. L. 1773) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further providing for the powers and duties of the Advisory Council on Affairs of the Handicapped and authorizing the Secretary of Labor and Industry to appoint an executive secretary and other necessary personnel.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1267, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" increasing the annual salaries of certain officers in counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1289, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing the issuance of non-debt revenue bonds for capital improvements to certain public service facilities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1306, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia Pennsylvania for maintenance and support.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1348, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" changing the procedure in appointment of special school police and abolishing liability of the board of school directors for compensation of such police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1456, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing supervisors to annually appropriate money for certain nursing services

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1517, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" further regulating the membership of the governing body of an Authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1720, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 842) entitled "An act relating to the acquisition of rights to divert water from rivers streams natural lakes and ponds or other surface waters within the Commonwealth or partly within and partly without the Commonwealth defining various words and phrases vesting in the Water and Power Resources Board certain powers and authorities for the conservation control and equitable use of the waters within the Commonwealth in the interests of the people of the Commonwealth making available for public water supply purposes water rights heretofore or hereafter acquired but not used providing for hearings by the Water and Power Resources Board and for appeals from its decisions fixing fees granting to all public water supply agencies heretofore or hereafter created the right of eminent domain as to waters and the land covered by said waters repealing all acts or parts of acts inconsistent herewith including Act No. 109 P. L. 152 approved April 13, 1905 Act No. 307 P. L. 455 approved June 7, 1907 Act No. 64 P. L. 258 approved April 8, 1937" by further regulating the period within which water rights must be acquired.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1815, entitled:

An Act authorizing council of any incorporated town to create the office of town manager, and prescribe his powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1819, entitled:

An Act enabling the department of procurement of cities of the first class to establish by resolution the requirements of responsible bidders for city printing.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1820, entitled:

An Act enabling county commissioners of counties of the first class to establish by resolution the requirements of responsible bidders for county printing.

And said bill having been read at length the first time, Oredered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1873, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and interinsurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by changing provisions relating to certain legal proceedings

And said bill having been read at length the first time, Oredered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1877, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" changing the basis for reimbursement on account of rentals payable to the State Public School Building Authority municipality authorities and non-profit corporations and the conditions therefor and limitations on approval of projects for reimbursement purposes providing for reimbursement on account of sinking fund charges an indebtedness for school buildings hereafter constructed and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bil No. 1881, entitled:

An Act making an apropriation to the Department of Public Instruction for payment to school districts on account of approved reimbursable rental payable to the State Public School Building Authority municipality authorities and non-profit corporations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 53, entitled:

An Act providing for the revocation of commission of notaries public issuing checks without funds on deposit

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 325, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further regulating the incorporations changing certain penalties and making such changes retroactive fixing the expense allowance for delegates to the meetings of the State Association of Boroughs providing for the creation of capital reserve funds for capital expenditures and the advertising of notices relative to land subdivision ordinances

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 400, entitled:

An Act amending the act of May 23 1907 (P. L. 227) entitled "An act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-suport by husbands" including desertion of children and extending the right of action

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 511, entitled:

An Act amending the act of April 12 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" further limiting the transfer of licenses permitting transfer of distributor's and importing distributor's licenses anywhere within the same county

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 520, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further regulating the procedure to be followed in enacting necessary ordinances in the course of preparing a consolidation codification or revision of ordinances

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bil No. 773, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulaing the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" prohibiting the operation of motor vehicles the mufflers of which have internal parts removed

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 124, entitled:

An Act regulating the payment of wages or compensation for labor or service in certain private employments establishing regular paydays imposing duties upon employers conferring powers and duties upon the Department of Labor and Industry imposing additional powers and duties on the Secretary of Labor and Industry for the civil collection of wages and imposing civil and criminal penalties and providing for their collection and disposition

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the committee on Labor Relations for the purpose of further study and possible amendment.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 623, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for payment by the Commonwealth to school districts for the acceptance of non-resident inmates of children's institutions into its schools

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bil No. 833, entitled:

An Act amending the act of June 12, 1919 (P. L. 476) entitled as amended "An act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties of the second class" increasing amount of fees to be charged and collected by recorders in counties of the second class

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 832, entitled:

An Act amending the act of May 3, 1915 (P. L. 226) entitled "An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census" changing and further fixing the fees to be charged by the prothonotary

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bil No. 980, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the recommending nominating and appointing of supervisors of agriculture homemaking and industrial education

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 981, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" removing the limitation on the maximum compensation payable by the Commonwealth for vocational extension classes and permitting the payment of the full cost of certain vocational training courses and providing for the revision of the budget in such cases

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1073, entitled:

An Act providing for the establishment of forestry conservation camps by the Department of Welfare and the Department of Justice for the retaining of male delinquents

The first, second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. TOLL offered the following amendment:

Amend Sec. 4, page 3, lines 9, 10 and 11, by striking out all of said lines and inserting in lieu thereof "recommend to the juvenile courts of the Commonwealth the placement of juveniles in or the transfer of juveniles to forestry conservation camps under its administration and the juvenile courts may commit or transfer juveniles to such camps in accordance with procedures established by the Department of Welfare".

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. TOLL offered the following amendments:

Amend Sec. 5, page 3, line 19, by striking out "The Department of Justice shall provide for".

Amend Sec. 5, page 4, line 7, by inserting after "the" where it appears the first time in said line "Department of Justice shall provide for the".

They were agreed to.

The section was agreed to as amended.

The sixth and seventh sections were separately read and agreed to.

Mr. TOLL offered the following amendment:

Amend Bill, page 5, by inserting after line 8 "Section 8. This act shall take effect immediately and the first camp under the administration of the Department of Welfare and the first camp under the administration of the Department of Justice shall be established not later than January 1, 1957.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. TOLL offered the following amendment:

Amend Title, page 1, last line of Title, by striking out "retaining" and inserting in lieu thereof "retraining".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1129, entitled:

An Act amending the act of May 17, 1929 (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" requiring the commonwealth for a limited time to pay charges to counties on certain federal forest reserves

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1370, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire by purchase or condemnation certain lands located in Brady Township Butler County Pennsylvania on Route 8 about twelve miles north of the city of Butler providing for the control maintenance and improvement thereof and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study and amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1399, entitled:

An Act requiring employers to pay for medical examination fee where such examination is a condition of employment

The first section was read.

On the question,

Will the House agree to the section?

Mr. MORAN offered the following amendments:

Amend Sec. 1, page 1, line 1 by striking out "employment" and inserting in lieu thereof "employer".

Amend Sec. 1, page 2, line 3 by striking out "Section" and inserting in lieu thereof "section".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. MORAN offered the following amendments:

Amend Sec. 2, page 2, line 7, by inserting after "any" "medical".

Amend Sec. 2, page 2, line 8 by inserting after "employment" "if the applicant accepts the employment and the applicant or employe works for the employer for one work week".

They were agreed to.

The section was agreed to as amended.

The third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1470, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" including financial assistance for nursing home care within the word assistance and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1530, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" increasing the amount of tax which may be levied and collected for general revenue purposes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1547, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" requiring excusing of children for non-attendance for treatment by physician osteopath optometrist or dentist

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1738, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for Commonwealth ownership of patentable matters developed in State institutions

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1782, entitled:

An Act relating to apprenticeship creating a State Apprenticeship Council in the Department of Labor and Industry to formulate an apprenticeship policy and program and defining its powers and duties and providing for administration

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1231, entitled:

An Act to further amend clause (17) of subdivision (4) of subdivision (1) of section four of the act aproved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such constributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by including services of industrial insurance agents within the definition of employment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bil No. 1352, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and

compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" including brucellosis within meaning of term of occupational diseases in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1367, entitled:

An Act amending the act of June 2, 1915 (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" providing for the payment of compensation to kin of deceased employes dying prior to receiving payment of total benefits and no longer requiring indemnity where compensation due is commuted by board

The first section was read.

On the question,

Will the House agree to the section?

Mr. KENT. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Washington, Mr. Capano, permit himself to be interrogated?

Mr. CAPANO. I shall, Mr. Speaker.

Mr. KENT. Mr. Speaker, as I understand this bill in relation to the present law, the present law provides that a person who is receiving, or is entitled to receive, workmen's compensation for a permanent disability receives that compensation for 700 weeks, is that correct?

Mr. CAPANO. No, Mr. Speaker, for the period for which the loss he suffered indicates.

Mr. KENT. Mr. Speaker, if it is a total permanent disability, it is for 700 weeks, is it not?

Mr. CAPANO. Yes, Mr. Speaker, but that does not apply to those types of injuries, only where there is the loss of two or more members, then it would be total disability.

Mr. KENT. Mr. Speaker, will the gentleman agree that if he is totally and permanently disabled he will receive compensation for 700 weeks?

Mr. CAPANO. That is true, Mr. Speaker.

Mr. KENT. Mr. Speaker, if he should die from something related to his injury under present law during that 700 weeks, then the law provides that his widow and children who are dependent upon him will receive the balance of compensation which he would have received for that same period, is that right?

Mr. CAPANO. If he dies from conditions relating to the accident, Mr. Speaker.

Mr. KENT. That is correct, Mr. Speaker. Then his widow and dependent children are entitled to a percentage of what he would have received had he lived for the balance of the 700 weeks?

Mr. CAPANO. That is correct, Mr. Speaker.

Mr. KENT. Mr. Speaker, under this bill and the next bill, House Bill 1368, which has to do with the occupational end of workmen's compensation, as I understand these bills, if they were to die from any cause unrelated to his injury, his wife, and children, and other relatives, down to brothers and sisters, and mother and father in the absence of any of the others, would receive the same compensation he would have been entitled to had he not died, is that correct?

Mr. CAPANO. Mr. Speaker, I believe the gentleman is under the wrong impression. These bills are intended to apply to the case where there has been a specific loss such as the loss of an arm, or a leg, or an eye, or whatever it hapens to be. In those cases, as the law now stands, in the event of death the widow does not receive the balance of the specified period. This is intended to be applicable in those cases so that the balance of the period, which would now cease upon his death, would go to the widow, because he is being paid for a specific loss and not for disability.

Mr. KENT. Mr. Speaker, I don't quite understand. Am I wrong when I read these bills? My impression is, and my understanding is, that if an employe is drawing workmen's compensation for a permanent total disability and then dies from any cause whatsoever, the widow and children, and his heirs, would be entilted to the same compensation that he would have received had he not died?

Mr. CAPANO. The amendments to these two bills, House Bills 1367 and 1368, apply only to Section 306(c). I do not have the bills in front of me. I am trying to get them so I can follow the gentleman.

Mr. KENT. At any rate, Mr. Speaker, the compensation is payable if he were to die from any cause whatsoever even though it is unrelated to his injury, is that not correct?

Mr. CAPANO. Mr. Speaker, I did not get the last. Will the gentleman kindly repeat it?

Mr. KENT. Mr. Speaker, even assuming that the gentleman is right when he says the bills apply only to certain injuries, still do they not provide that if he dies for causes other than the injury, completely unreleated to the injury, his heirs would receive the same as he would have received had he remained living?

Mr CAPANO. Mr. Speaker, the balance of the period.

Mr. KENT. Which under the present law, Mr. Speaker, is 700 weeks if he is totally and permanently disabled?

Mr. CAPANO. Mr. Speaker, it does not apply in those cases. Section 306 applies to specific losses, that is, the loss of an arm, or leg, or eye, or disfigurement, practically total disability where there is the loss of one or more members, then he would be adjudged as being permanently and totally disabled. Even then those are for specific losses in a determined period. In any death which occurs before the period runs out, the compensation immediately ceases.

Mr. KENT. That is right, Mr. Speaker. So that even in the cases which you mention, if he were permanently and totally disabled the period would be for 700 weeks?

Mr. CAPANO. Mr. Speaker, that would be for a case of disability and not for a case of specific loss.

Mr. KENT. In the case of a specific loss, Mr. Speaker, if he is drawing compensation and he dies from any other causes, then his heirs would receive the same benefits he would receive if he were living, is that not right?

Mr. CAPANO. Mr. Speaker, that is what the amendments are intended to accomplish.

Mr. KENT. Mr. Speaker, then in all other cases other than those covered by this section, the same thing could happen, but the heirs would not receive the benefits, is that right?

Mr. CAPANO. Yes, Mr. Speaker.

Mr. KENT. Mr. Speaker, is there any reason for the distinction?

Mr. CAPANO. Yes Mr. Speaker. To my thinking, there is. In one case, the case you mentioned last, he is being paid compensation for disability. In the cases to which I had reference under Section 306(c), loss of members, he actually is not being paid for disability because he can go back to work and still receive compensation for the specified period. He is being paid for the loss of a member.

Under those circumstances I feel it is only right that in the case of the man who lost that member, lost his arm or leg, since he has not been paid completely for the entire period, the balance of the period should go to his widow or his dependent children.

Mr. KENT. Mr. Speaker, do I understand the gentleman believes that if a person lost his arm and was drawing compensation and he committed suicide, his heirs should have the benefit of the compensation down to brothers and sisters, who were not even dependent upon him?

Mr. CAPANO. Yes, Mr. Speaker, because he is being paid, as I said before, for the loss of a member of his body and not for disability.

Mr. KENT. Mr. Speaker, the question I would like to ask now is, in the case of a person who is permanently and totally disabled and not able to work at all, why should not his heirs have the same benefits?

Mr. CAPANO. Mr. Speaker, because he is being paid for disability and not for loss of a member.

Mr. KENT. Mr. Speaker, the gentleman distinguishes disability from the loss of a member?

Mr. CAPANO. Yes, Mr. Speaker, I do, because where there is the loss of a member he can return to work at the same job, or some other job, and still receive payments for the loss of the member, for the specific loss, as I call it.

Mr. KENT. Mr. Speaker, will the gentleman agree that the person might suffer the loss of one of his members and still be totally and permanently disabled?

Mr. CAPANO. Yes, Mr. Speaker, that is true, generally, where he loses two or more members, but where there is only the loss of one member ordinarily he is not a complete disability case.

Mr. KENT. Mr. Speaker, in that case his heirs would not have the benefits under these bills, would they?

Mr. CAPANO. Mr. Speaker, in the case where he losses two or more members, of course, the same condition would prevail as under this amendment. The family would receive the payment for the loss of those members.

Mr. KENT. Mr. Speaker, under the present law, so far as it relates to survivors and heirs of a person, it is based entirely upon dependency, is it not? Those people have to be dependent upon the particular person for their maintenance, is that not correct?

Mr. CAPANO. Mr. Speaker, that is in case he dies from a condition relating to the accident.

Mr. KENT. That is right, Mr. Speaker. Under these two bills dependency is not a feature except in so far as children are concerned, is that not right?

Mr. CAPANO. That is correct, Mr. Speaker.

I purposely did that because I felt it should be limited to the widow, a widow who is a member of the household, and living together with the deceased spouse, and the children who were dependent upon him, and not any further than that.

Mr. KENT. Under these bills, Mr. Speaker, in the case of children, as you have said, in order for them to benefit they must be dependent upon their father or the injured person, is that not right?

Mr. CAPANO. Mr. Speaker, that is in accordance also with the present act. In order for children to receive benefits, they must be dependent, or be under age, or they cease to be dependent.

Mr. KENT. Mr. Speaker, if there were no children and there was a brother or a sister, or a mother or father surviving, they do not have to be dependent and they still would get the benefit?

Mr. CAPANO. Mr. Speaker, I am not sure of that. It was my intent that they should also be dependent. I have not read it to see whether that is in the particular section. When I first drafted it, that was my intent and that was what I had put into the section, that they also be dependent.

Mr. KENT. I might suggest to the gentleman, Mr. Speaker, that I have examined it pretty closely on that point and, as I read it, it is my opinion that it is not in the bills as they are now written.

Just to get back to the case of total and permanent disability, I am sure the gentleman is aware that we passed a bill through this House several months ago making certain changes in the workmen's compensation law, one of which was to extend benefits for life rather than the 700 weeks. Is the gentleman familiar with that?

Mr. CAPANO. Yes, I am, Mr. Speaker. That is correct.

Mr. KENT. Mr. Speaker, I would like to ask the gentleman, if that bill should become law and make the benefits payable for life, and if this bill passes too and becomes law, and a man dies sometime when he is drawing workmen's compensation, this bill provides that the same benefits are to go to his wife, children, brother, sisters, mother, or father. Can he tell me for what duration they are to receive the benefits?

Mr. CAPANO. Mr. Speaker, this is not inconsistent with the proposed amendments to the act. This is merely to provide, as I stated before, payments to the widow or children for the specified period for which he was entitled to the payments of compensation for the loss of a member, a specific loss.

I feel this is only just because a man who loses an arm or a leg is not merely disabled, but on top of disability he has lost part of his body. In negligence cases he is compensated for it and there is no reason why he should not be compensated under these conditions.

Previously in the act a man could commute the specified period, but under the later act he could not commute. He had to put up a bond if he did commute to guarantee repayment if he should die before the 150 weeks, let us say, for which he was entitled to compensation. He would have to repay that to the insured.

Mr. KENT. Mr. Speaker, I would like to ask the gentle-

man, and I am sure he will agree, people who are injured and become permanently and totally injured through other means than losing one of their members are likewise compensable and compensated under the present law, are they not?

Mr. CAPANO. That is right, Mr. Speaker, for disability.

Mr. KENT. Mr. Speaker, the gentleman does not think the benefits of the bill should extend to those people and should only extend to people who have lost a member?

Mr. CAPANO. Mr. Speaker, I would like to extend it also to those people, but I do not think it would have any chance of passage.

Mr. KENT. I did not hear the last part of the answer, Mr. Speaker.

Mr. CAPANO. Mr. Speaker, I do not think it would pass this House, but I personally would be in favor of it, of extending the benefits also—

Mr. KENT. Mr. Speaker, the gentleman would like to extend it, but he does not think it would pass the House?

Mr. CAPANO. That is right, Mr. Speaker.

Mr. KENT. Mr. Speaker, is this a compromise bill of some kind?

Mr. CAPANO. No, Mr. Speaker, it is not. This is an idea of mine which I have had for some years through having seen such cases occur where a man lost an arm, or a leg, or an eye, or some other part of his body, and the payments ceased immediately upon the death and the widow was left destitute with no means of livelihood. I knew if it had been a negligence case she at least could sue and recover the full amount to which he would have been entitled because of the accident.

Mr. KENT. Mr. Speaker, one more question. I wonder if the gentleman would object to passing these bills over—I feel there are places where they are inconsistent with the prior bill that was passed, the gentleman admitted himself he could not answer one of the questions I raised—so that we might be able to go into it?

Mr. CAPANO. Mr. Speaker, I will agree to hold them, but I think they should come up for second reading.

Mr. KENT. Mr. Speaker, the gentleman means hold them on third reading?

Mr. CAPANO. Hold them on third reading, Mr. Speaker.

Mr. KENT. Mr. Speaker, with the agreement that they may be amended on third reading?

Mr. CAPANO. Yes, Mr. Speaker, if the gentleman cares to amend them and if the amendment is acceptable.

Mr. KENT. Mr. Speaker, I do not know whether it will be acceptable until we vote on it, but at least I can present amendments?

Mr. CAPANO. I will agree to that, yes, Mr. Speaker.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1368, entitled:

An Act amending the act of June 21, 1939, entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties providing for payment of compensation to kin of deceased employes dying prior to receiving payment of total benefits and no longer requiring indemnity where compensation due is commuted by board

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1778, entitled:

An Act to authorize the transfer of certain automobiles used in child welfare programs and purchased with Federal funds to certain counties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. WILLIAMS asked and obtained permission for the Committee on Mines and Mining to meet during the session of the House.

Mr. READINGER asked and obtained permission for the Committee on Rules to meet during the session of the House.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1786, entitled:

An Act providing for cooperation by the Commonwealth of Pennsylvania in conjunction with the State of New Jersey with the United States of America in the improvement and maintenance of the Delaware River between Allegheny Avenue Philadelphia Pennsylvania and Trenton Marine Terminal Trenton New Jersey and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

Mr. KOLANKIEWICZ offered the following amendment:

Amend Sec. 1, page 2, line 15, by striking out "and hold."

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1821, entitled:

An Act authorizing the Department of Welfare to enter into an agreement with the City of Philadelphia granting a license to the city to construct and maintain a sanitary and storm drainage right of way in over and under the grounds of the Philadelphia State Hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1831, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace offcers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by adding a certain classification and definition of motor vehicles and fixing a fee therefor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1832, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the maximum gross weights allowed for certain vehicles

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1833, entitled:

An Act amending the act of April 15, 1873 (P. L. 75) entitled "An act relating to the fees of the surveyor general" increasing fees to be charged by the Department of Internal Affairs

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1838, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further regulating the admission of beginners to the public schools

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1848, entitled:

An Act amending the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace offcers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" excluding the weight of safety devices in determining gross weight

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1860, entitled:

An Act amending the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace offcers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon

owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating official inspections of motor vehicles trailers and semi-trailers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1862, entitled:

An Act amending the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace offcers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" making it a crime to commit a fraud regarding any form or application filed with the department

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1863, entitled:

An Act amending the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace offcers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating lighting equipment lights and devices and the use thereof and prescribing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1864, entitled:

An Act amending the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace offcers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating the use of registration plates warning devices and flags and clarifying the designation of "No Passing Zones"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1868, entitled:

An Act amending the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace offcers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" prohibiting driving on the wrong side of a divided highway

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1869, entitled:

An Act amending the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace offcers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" making it unlawful for any person to lend or permit the use of an operator's license or learners permit not issued to him

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 105, Printer's No. 337

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 125, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators therof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderowners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for the permanent registration and the issuance of permanent registration plates to political subdivisions for fire and police vehicles

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. AMARANDO. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 156, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" authorizing the department to provide for certain work on municipally owned public utilities

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 165, entitled:

An Act amending the act of June 30, 1947 (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for grievence procedure and providing hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" changing the method of selecting panels for the adjustment of grievances of certain school district employes and imposing additional duties on such panels

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 384, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwaelth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Comonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" providing for the payment of refunds of moneys to persons entitled thereto in lieu of crediting their accounts and appropriating moneys for the payment of such refunds and of existing credits

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 524, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators therof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" defining transit mix vehicles and fixing registration fees and permissible weights therefor

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. AMARANDO. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 528, entitled:

An Act authorizing and empowering the Delaware River Port Authority to finance construct erect acquire operate maintain and own a new toll bridge for vehicular traffic across the Delaware River between Philadelphia County Pennsylvania and Burlington County or Camden County New Jersey at a location to be selected by the said Delaware River Port Authority between a point or points within a three mile radius of the intersection of State Road and Levick Street in the City of Philadelphia Pennsylvania and a point or points within a three mile radius of the intersection of New Jersey State Route No 73 Market Street and Temple Boulevard in the borough of Palmyra County of Burlington New Jersey together with such approaches thereto and such highway connections as may be necessary or desirable and granting and defining and continuing certain powers of eminent domain and other functions powers duties and privileges all of said actions to be taken pursuant to and in accordance with this act and the Compact or Agreement and amendments or supplements thereto between New Jersey and Pennsylvania dated July 1, 1931 August 23, 1951 and August 30, 1951 and the consent by the Congress of the United States thereto

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 543, entitled:

An Act to further amend clause (f) of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the maximum gross weight and axle load of certain commercial motor vehicles

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 723, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating therto" authorizing joint school committees to manage designated functions of joint schools or departments

And said bill having been read at length the second time an dagreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 724, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the payment of money withheld from State appropriations to pay default in rent to a municipality authority or nonprofit corporation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

BILLS ON FINAL PASSAGE

The SPEAKER. If there are no objections, the bills on the final passage calendar will be passed over. The Chair hears none.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 592, Printer's No. 1156

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 703, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Town of Bloomsburg Columbia County for the use of the Bloomsburg State Teachers College and making an appropriation

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, November 30, 1955.

Resolved (If the Senate concur), that House Bill No. 834, Printer's No. 1036, entitled "An act amending the act of May 9, 1949 (P. L. 927) entitled 'An act fixing and regulating the fees, commissions mileage and other costs chargeable by the sheriff in counties of the second third fourth fifth sixth seventh and eighth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local' changing fees commissions mileage and other costs chargeable by sheriffs" be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, November 30, 1955.

Resolved (if the Senate concur), that House Bill No. 1105, Printer's No. 531, entitled "An act providing for acceptance as a donation of a building known as Patients Store and Library at the Norristown State Hospital this structure to be owned and maintained by the Commonwealth as a part of the Norristown State Hospital," be recalled from the Governor for the purpose of amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 914

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 30, 1955.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 914, Printer's No. 359, entitled "An act reenacting and amending the act of May 23, 1949 (P. L. 1611) entitled as amended 'An Act to impose a tax on real estate for public school purposes in school districts of the first class for current expenses" extending the act to include school districts of the first class A."

GEORGE M. LEADER.

HOUSE RESOLUTION NO. 119 COMMITTEE APPOINTED

The SPEAKER. Pursuant to the provisions of a resolution adopted by the House of Representatives on Wednesday, November 23, 1955, the Speaker appoints as a Select Committee to make inquiry concerning the merit rating status of state employes in the Department of Health, Messrs. Lopresti, Chairman, McCann, Yetter, Tompkins and Bower.

HIRAM G. ANDREWS,
Speaker.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 1219, Printer's No. 383 and

House Bill No. 1314, Printer's No. 883

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1491 as follows:

An Act requiring the office of register of wills and the office of the Pronthonotary in cities of the first class to be closed on Saturdays for the transaction of business and authorizing certain actions to be performed in that office on the day succeeding the day required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The office of register of wills and the office of the Prothonotary in cities of the first class shall be closed on Saturdays for the transaction of any business pertaining to that office

Section 2 Any act or transaction otherwise required by law to be performed or accomplished in the office of the register of wills or in the office of the Prothonotary on any day in which the office shall be closed for the transaction of business pursuant to this act shall be valid if performed or transacted in that office on the next succeeding secular or business day

Section 3 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Adam,	Garlock,	McWherter,	Sigman,
Amarando,	Gelfand,	Meholchick,	Smith, C. C.,
Anderson, M. S.,	George,	Mihm,	Snider,
Anderson, S. A.,	Guss,	Mikula,	Stank,
Barnatovich,	Hamilton, W. H.,	Monroe,	Stephens,
Bazin,	Hass,	Moody,	Stoner,
Bonner,	Haudenshield,	Moran,	Strausser,
Bower,	Helm,	Muldowney,	Stroup,
Brennan, A. P.,	Henzel,	Munley,	Swartz,
Brennan, J. J.,	Hewitt,	Murphy,	Taylor,
Brenninger,	Hocker,	Musto,	Thomas,
Breth,	Houk,	Needham,	Toll,
Brown,	Johnson,	Oglivie,	Varner,
Bucchin,	Jones, G. E.,	O'Neil,	Vaughan,
Bullen,	Jones, T. H. W.,	Pacchioli,	Wall,
Cianfrani,	Kamyk,	Pashley,	Wallace,

Cioffi,	Kent,	Paulhamus,	Walsh,
Comer,	Kolankiewicz	Petrosky,	Wargo,
Connelly,	Kornick,	Polaski,	Waterhouse,
Curwood,	Kubacki,	Polen,	Weidner,
Donahue,	Lafore,	Pomeroy,	Wheeler,
Eilberg,	Leiby,	Price,	Whitenight,
Erb,	Leonard,	Readinger,	Willaredt,
Eshleman,	Leven,	Reibman,	Williams,
Ewing,	Limper,	Reidenbach,	Wilt,
Farabaugh,	Lopresto,	Renwick,	Wood,
Filo,	Lovett,	Rigby,	Yetter,
Flint,	Markley,	Royer,	Yetzer,
Flynn,	McCann,	Rubin,	Ziegler,
Frank,	McGee,	Sarraf,	Andrews,
Frost,	McKeever,	Scarcelli,	Speaker
Gaffney,	McLaughlin,	Sherman,	

NAYS—30

Ashton,	Goldstein,	Kline,	Pursley,
Auker,	Gramlich,	Kratz,	Rudisill,
Banker,	Greenwood,	Kromer,	Steckel,
Bell,	Guthrie,	Leisey,	Stevenson,
Breisch,	Horst,	Light,	Tompkins,
Capano,	Isaacs,	Lippincott,	Toomey,
Davis,	Kehler,	Mahan,	Worley,
Ehrgood,	Keller,		

NOT VOTING—53

Agnew,	Frascella,	Maxwell,	Parry,
Blair,	Gibb,	McCormack,	Pettigrew,
Boles,	Gibson,	McInroy,	Rosen,
Boory,	Hamilton, R. K.,	Metz,	Rovansek,
Branca,	Heavey,	Miller,	Schuster,
Cochran,	Holt,	Mills,	Smith, W. B.,
Cooper,	Jenkins,	Moscrip,	Stebbins,
Donaldson,	Jump,	Mullen,	Stone,
Dougherty,	Knecht,	Murray, H. P.,	Thompson,
Down,	Kooker,	Murray, J. J.,	Varallo,
Fineman,	Lawyer,	Murray, P. G.,	Verona,
Floyd,	Lutty,	Naugle,	Welsh,
Foster,	Magee,	Olsen,	Wescott,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1562, Printer's No. 607

was passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1580, as follows:

An Act amending the act of July 23, 1953 (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" regulating employment of building policemen and building guards hereafter appointed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1502 act of July 28 1953 (P L 723) known as the "Second Class County Code" is amended to read

Section 1502 Exclusive System No member of the police force shall be appointed promoted reduced in rank suspended furloughed discharged or reinstated except in accordance with provisions of this article No building policemen building guards or other positions the responsibility of which is building protection or security hereafter appointed shall be in any way governed by the provisions of this article relating to civil service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follow:

YEAS—129

Adam,	Gelfand,	Markley,	Sarraf,
Amarando,	George,	McCann,	Scarcelli,
Anderson, M. S.,	Gramlich,	McGee,	Schuster,
Anderson, S. A.,	Greenwood,	McKeever,	Sherman,
Auker,	Guss,	McLaughlin,	Sigman,
Barnatovich,	Guthrie,	McWherter,	Snider,
Bazin,	Hass,	Meholchick,	Stank,
Bell,	Henzel,	Mihm.	Steckel,
Bonner,	Horst,	Monroe,	Stephens,
Bower,	Houk,	Moody,	Stoner,
Brennan, A. P.,	Isaacs,	Moran,	Strausser,
Brennan, J. J.,	Johnson,	Muldowney,	Stroup,
Brenninger,	Jones, G. E.,	Munley,	Swartz,
Breth,	Jones, T. H. W.,	Murphy,	Taylor,
Bucchin,	Jump,	Musto,	Thomas,
Bullen,	Kamyk,	Needham,	Toll,
Capano,	Kehler,	O'Neil,	Varner,
Cianfrani,	Keller,	Pacchioli,	Vaughan,
Cioffi,	Kline,	Pashley,	Wall,
Comer,	Kolankiewicz,	Paulhamus,	Wallace,
Connelly,	Kooker,	Petrosky,	Walsh,
Curwood,	Kornick,	Polaski,	Wargo,
Donahue,	Kratz,	Polen,	Waterhouse,
Eilberg,	Kromer,	Pomeroy,	Wheeler,
Eshleman,	Kubacki	Pursley,	Whitenight,
Farabaugh,	Leiby,	Readinger,	Willaredt,
Filo,	Leonard,	Reibman,	Williams,
Flint,	Leven,	Reidenbach,	Wood,
Flynn,	Limper,	Renwick,	Yetter,
Frank,	Lippincott,	Rigby,	Yetzer,
Gaffney,	Lopresti,	Royer,	Ziegler,
Garlock,	Lovett,	Rubin,	Andrews,
		Rudisill,	Speaker

NAYS—30

Ashton,	Frost,	Lafore,	Smith, C. C.,
Banker,	Goldstein,	Leisey,	Stevenson,
Breisch,	Hamilton, W. H.,	Light,	Tompkins,
Brown,	Haudenshield,	Mahan,	Toomey,
Davis,	Helm,	Mikula,	Weidner,
Ehrgood,	Hewitt,	Ogilvie,	Wilt,
Erb,	Hocker,	Price,	Worley,
Ewing,	Kent,		

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone.
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1642, as follows:

An Act to add clause (1) to section two thousand one hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards

commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing and making it the duty of the Department of Health to provide limited training in the field of public health work for certain State and municipal employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand one hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P L 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" a's amended by the act approved the eighteenth day of July one thousand nine hundred forty-one (P L 412) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 2102 General Health Administration The Department of Health shall have the power and its duty shall be

(1) To train and make available appropriate facilities to train certain otherwise qualified State County and municipal employes in the field of public health work to become more familiar with and therefor better understand the various administrative and technical problems peculiar to public health services

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—158

Adam,	Gelfand,	Lopresti,	Scarcelli,
Amarando,	George,	Lovett,	Schuster,
Anderson, M. S.,	Goldstein,	Mahan,	Sherman,
Anderson, S. A.,	Gramlich,	Markley,	Sigman,
Ashton,	Greenwood,	McCann,	Smith, C. C.,
Auker,	Guss,	McGee,	Snider,
Barnatovich,	Guthrie,	McKeever,	Stank,
Bazin,	Hamilton, W. H.,	McLaughlin,	Steckel,
Bell,	Hass,	McWherter,	Stephens,
Bonner,	Haudenshield,	Meholchick,	Stevenson,
Bower,	Helm,	Mihm,	Stoner,
Breisch,	Henzel,	Mikula,	Strausser,
Brennan, A. P.,	Hewitt,	Monroe,	Stroup,
Brennan, J. J.,	Hocker,	Moody,	Swartz,
Brenninger,	Horst,	Moran,	Taylor,
Breth,	Houk,	Muldowney,	Thomas,
Brown,	Isaacs,	Munley,	Toll,
Bucchin,	Johnson,	Murphy,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Needham,	Varner,
Cianfrani,	Jump,	Ogilvie,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Wall,
Comer,	Kehler,	Pacchioli,	Wallace,
Connelly,	Keller,	Pashley,	Walsh,
Curwood,	Kent,	Paulhamus,	Wargo,
Davis,	Kline,	Petrosky,	Waterhouse,
Donahue,	Kolankiewicz,	Polaski,	Weidner,
Ehrgood,	Kooker,	Polen,	Wheeler,
Eilberg,	Kornick,	Pomeroy,	Whitenight,
Erb,	Kratz,	Price,	Willaredt,
Eshleman,	Kromer,	Pursley,	Williams,
Ewing,	Kubacki,	Readinger,	Wilt,
Farabaugh,	Lafore,	Reibman,	Wood,
Filo,	Leiby,	Reidenbach,	Worley,
Flint,	Leisey,	Renwick,	Yetter,
Flynn,	Leonard,	Rigby,	Yetzer,
Frank,	Leven,	Royer,	Ziegler,
Frost,	Light,	Rubin,	Andrews,
Gaffney,	Limper,	Rudisill,	Speaker
Garlock,	Lippincott,	Sarraf,	

NAYS—1

Banker,

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MIHM asked and obtained permission for the Committee on Cities—Counties Second and Second Class A to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1643, as follows:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain

departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" redefining the powers and duties of the Department of Health

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2107 act of April 9, 1929 (P. L. 177) known as "The "Administrative Code of 1929" is amended to read

Section 2107 Tuberculosis Sanatoria The Department of Health shall have the power and its duty shall be

(a) To maintain sanatoria or colonies for the reception and treatment of [indigent] persons affected or suspected of being affected with tuberculosis

(b) To approve or disapprove plans and specifications for county hospitals or sanatoria erected for the treatment therein of [indigent] persons suffering from tuberculosis as may now or hereafter be provided by law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Adam,	Garlock,	Lippincott,	Sarraf,
Amarando,	Gelfand,	Lopresti,	Scarcelli,
Anderson, M. S.,	George,	Lovett,	Schuster,
Anderson, S. A.,	Goldstein,	Mahan,	Sherman,
Ashton,	Gramlich,	Markley,	Sigman,
Auker,	Greenwood,	McCann,	Smith, C. C.,
Banker,	Guss,	McGee,	Snider,
Barnatovich,	Guthrie,	McKeever,	Stank,
Bazin,	Hamilton, W. H.,	McLaughlin,	Steckel,
Bell,	Hass,	McWherter,	Stephens,
Bonner,	Haudenshield,	Meholchick,	Stevenson,
Bower,	Helm,	Mihm,	Stoner,
Brennan, A. P.,	Henzel,	Mikula,	Strausser,
Brennan, J. J.,	Hewitt,	Monroe,	Stroup,
Breisch,	Hocker,	Moody,	Swartz,
Brenninger,	Horst,	Moran,	Taylor,
Breth,	Houk,	Muldowney,	Thomas,
Brown,	Isaacs,	Munley,	Toll,
Bucchin,	Johnson,	Murphy,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Needham,	Varner,
Cianfrani,	Jump,	Ogilvie,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Wall,
Comer,	Kehler,	Pacchioli,	Wallace,
Connelly,	Keller,	Pashley,	Walsh,
Curwood,	Kent,	Paulhamus,	Wargo,
Davis,	Kline,	Petrosky,	Waterhouse,
Donahue,	Kolankiewicz,	Polaski,	Weidner,
Ehrgood,	Kooker,	Polen,	Wheeler,
Eilberg,	Kornick,	Pomeroy,	Whitenight,
Erb,	Kratz,	Price,	Willaredt,
Eshleman,	Kromer,	Pursley,	Williams,
Ewing,	Kubacki,	Readinger,	Wilt,
Farabaugh,	Lafore,	Reibman,	Wood,
Filo,	Leiby,	Reidenbach,	Worley,
Flint,	Leisey,	Renwick,	Yetter,
Flynn,	Leonard,	Rigby,	Yetzer,
Frank,	Leven,	Royer,	Ziegler,
Frost,	Light,	Rubin,	Andrews,
Gaffney,	Limper,	Rudisill,	Speaker

NAYS—0

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gilb,	Metz,	Rosen,
Boies,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1695, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the governmenpt of cities of the second class" increasing the jurisdiction of magistrates of the municipal traffic court in cities of the second class.

On the question,

Will the House agree to the bill on third reading?

Mr. GOLDSTEIN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (See. 3), page 2, line 2, by inserting after "Court" (a)

Amend Sec. 1 (Sec. 3), page 2, line 6, by striking out "sixteen years of age or over"

Amend Sec. 1 (Sec. 3), page 2, by inserting between lines 18 and 19:

(b) In any case where a magistrate of the municipal traffic court has authority to impose a fine or penalty in a summary proceeding for any violation of the Vehicle Code or of a city ordinance dealing with the regulation of traffic if the person charged with such violation is between the ages of sixteen and eighteen years both inclusive the magistrate shall have jurisdiction in such case to the same extent as he would have if the accused person was an adult

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time?

Is there objection?

The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 1750, Printer's No. 1013,

was passed over at the request of the SPEAKER.

There being no objection

House Bill No. 1755, Printer's No. 1070,

was passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1769, as follows:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses

bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" requiring informations charging violations of summary provisions of the act in cities of the first class to be brought before centrally located traffic courts designated by the chief magistrate and authorizing cities of the first class to fix penalties and fines by ordinances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 1201 act of May 1, 1929 (P. L. 905) known as "The Vehicle Code" amended August 19, 1953 (P. L. 1085) is amended to read

Section 1201 Limitations of Actions (a) Informations charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate within the city borough incorporated town or township in the county where the alleged violation occurred or such centrally located traffic courts as may be designated by the chief magistrate in cities of the first class except informations charging any such violations upon any turnpike or highway under the supervision of the Pennsylvania Turnpike Commission which shall be brought before the available magistrate within the county where the alleged violation occurred who is nearest to the first exist from that part of the turnpike or highway where the alleged violation occurred where there is no substantial difference between the respective distances from the place where the alleged violation occurred or the exit from a turnpike to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city borough incorporated town or township in the county within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facies guilty of a summary offense and it subsequently appears that a person other than the information was the offender an information may be filed against such other person within fifteen (15 days) after his or her identity shall have been discovered and excepting further that information charging violations of the provisions of sections 205 207 210 212 213 406.1 506 (a) 511 610.1 (b) (c) (j) 813 823.1 and 1025 (d) of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed

Section 2 The act is amended by adding after section 1204.1 a new section to read

Section 1204.2 Cities of the first class fines and penalties when any city of the first class adopting operating under or governed by the first class city home rule act prescribes by ordinance fines and penalties for summary offenses for which a fine or penalty is prescribed by the provisions of this act fines and penalties shall be imposed in accordance with the provisions of this ordinance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—158

Adam,	Garlock,	Lippincott,	Sarraf,
Amarando,	Gelfand,	Lopresti,	Scarcelli,
Anderson, M. S.,	George,	Lovett,	Schuster,
Anderson, S. A.,	Goldstein,	Mahan,	Sherman,
Ashton,	Gramlich,	Markley,	Sigman,
Auker,	Greenwood,	McCann,	Smith, C. C.,
Banker,	Guss,	McGee,	Snider,
Barnatovich,	Guthrie,	McKeever,	Stank,
Bazin,	Hamilton, W. H.,	McLaughlin,	Steckel,
Bell,	Hass,	McWherter,	Stephens,
Bonner,	Haudenshield,	Meholchick,	Stevenson,
Bower,	Helm,	Mihm,	Stoner,
Breisch,	Henzel,	Mikula,	Strausser,
Brennan, A. P.,	Hewitt,	Monroe,	Stroup,
Brennan, J. J.,	Hocker,	Moody,	Swartz,
Brenninger,	Horst,	Moran,	Taylor,
Breth,	Houk,	Muldowney,	Thomas,
Brown,	Isaacs,	Munley,	Toll,
Bucchin,	Johnson,	Murphy,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Needham,	Varner,
Cianfrani,	Jump,	Ogilvie,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Wall,
Comer,	Kehler,	Pacchioli,	Wallace,
Connelly,	Keller,	Pashley,	Walsh,
Curwood,	Kent,	Paulhamus,	Wargo,
Davis,	Kline,	Petrosky,	Waterhouse,
Donahue,	Kolankiewicz,	Polaski,	Weidner,
Ehrgood,	Kooker,	Polen,	Wheeler,
Eilberg,	Kornick,	Pomeroy,	Whitenight,
Erb,	Kratz,	Price,	Willaredt,
Eshleman,	Kromer,	Pursley,	Williams,
Ewing,	Kubacki,	Readinger,	Wilt,
Farabaugh,	Lafore,	Reibman,	Wood,
Filo,	Leiby,	Reidenbach,	Yetter,
Flint,	Leisey,	Renwick,	Yetzer,
Flynn,	Leonard,	Rigby,	Ziegler,
Frank,	Leven,	Royer,	Andrews, Speaker
Frost,	Light,	Rubin,	
Gaffney,	Limper,	Rudisill,	

NAYS—1

Worley,

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1775, entitled as follows:

An Act amending the act of August 5, 1941 (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the

Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" further regulating provisional appointments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 604 act of August 5, 1941 (P. L. 752) known as the "Civil Service Act" amended June 21, 1947 (P. L. 835) is amended to read

Section 604 Provisional Appointments Whenever there is great and urgent public need for filling a vacancy in any position in the classified service and the director is unable to certify an eligible for the vacancy he may authorize the filling of the vacancy by provisional appointment If he does authorize such appointment he shall certify not more than three qualified persons with or without examination and the appointing authority shall appoint one of the persons so certified A provisional appointment shall continue only until an appropriate eligible list can be established and certification made therefrom but in no event for more than [ninety days] six months in any twelve-month period except that during the first year after the repeal of the act approved the fourth day of June one thousand nine hundred forty-three (Pamphlet Laws 870) provisional appointments may continue until appropriate eligible lists can be established and a person may serve in the classified service under provisional appointment until appropriate eligible lists can be established and certification made therefrom Successive provisional appointments of the same or different persons shall not be made to the same position The acceptance of a provisional appointment shall not confer upon the appointee any rights of permanent tenure transfer promotion or reinstatement

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—158

Adam,	Gelfand,	Lopresti,	Scarcelli,
Amarando,	George,	Lovett,	Schuster,
Anderson, M. S.,	Goldstein,	Mahan,	Sherman,
Anderson, S. A.,	Gramlich,	Markley,	Sigman,
Ashton,	Greenwood,	McCann,	Smith, C. C.,
Banker,	Guss,	McGee,	Snider,
Barnatovich,	Guthrie,	McKeever,	Stank,
Bazin,	Hamilton, W. H.,	McLaughlin,	Steckel,
Bell,	Hass,	McWherter,	Stephens,
Bonner,	Haudenshield,	Meholchick,	Stevenson,
Bower,	Helm,	Mihm,	Stoner,
Breisch,	Henzel,	Mikula,	Strausser,
Brennan, A. P.,	Hewitt,	Monroe,	Stroup,
Brennan, J. J.,	Hocker,	Moody,	Swartz,
Brenninger,	Horst,	Moran,	Taylor,
Breth,	Houk,	Muldowney,	Thomas,
Brown,	Isaacs,	Munley,	Toll,
Bucchin,	Johnson,	Murphy,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Needham,	Varner,
Cianfrani,	Jump,	Ogilvie,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Wall,
Comer,	Kehler,	Pacchioli,	Wallace,
Connelly,	Keller,	Pashley,	Walsh,
Curwood,	Kent,	Paulhamus,	Wargo,
Davis,	Kline,	Petrosky,	Waterhouse,
Donahue,	Kolankiewicz,	Polaski,	Weidner,
Ehrgood,	Kooker,	Polen,	Wheeler,
Eilberg,	Kornick,	Pomeroy,	Whitenight,
Erb,	Kratz,	Price,	Willaredt,
Eshleman,	Kromer,	Pursley,	Williams,
Ewing,	Kubacki,	Readinger,	Wilt,
Farabaugh,	Lafore,	Reibman,	Wood,
Filo,	Leiby,	Reidenbach,	Worley,
Flint,	Leisey,	Renwick,	Yetter,
Flynn,	Leonard,	Rigby,	Yetzer,
Frank,	Leven,	Royer,	Ziegler,
Frost,	Light,	Rubin,	Andrews,
Gaffney,	Limper,	Rudisill,	Speaker
Garlock,	Lippincott,	Sarraf,	

NAYS—1

Auker,

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boies,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1777, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further defining the powers of the Department of Property and Supplies relating to automobiles

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 2407), page 4, line 6, by inserting after the word "automobiles" and before the word "and" the following: or to any department, board or commission having authority to purchase automobiles with money appropriated to it

Amend Section 1 (Section 2407), page 4, line 7, by inserting after the word "department" the following: respective

Amend Section 1 (Section 2407), page 4, line 7, by inserting after the word "department" and before the word "for" the following: board of commission

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1784 as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by permitting aliens to obtain licenses to fish

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the acts approved the twenty-second day of May one thousand nine hundred fifty-three (P. L. 211) and the twenty-eighth day of July one thousand nine hundred fifty-three (P. L. 666) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees (a) For the purposes of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application [and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers] shall upon the payment to the issuing agent or the Department of Revenue of a license fee of two dollars and fifty cents ($2.50) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

(b) Any disabled veteran of any war whose disability consists of the loss of one or more limbs or the loss of the use of one or more limbs or a veteran who is totally blind and who meets the above qualifications shall be issued such license upon application to any county treasurer without the payment of the above license fee provided for the use of the Commonwealth The application for the issuance of a license in such case shall in addition to the other information required contain a statement that the applicant is a war veteran and that his disability was service incurred The county treasurer may likewise require of such applicant the production of such applicant's discharge papers

Any person serving or who has served in the armed forces of the United States during any part of any war or the armed conflict in which the United States [is now] was engaged in Korea and who is being hospitalized or is in a convalescent camp within the Commonwealth shall be issued a license as above provided without the payment of said license fee provided for the use of the Commonwealth

(c) In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50c)

(d) Upon the making of an application by any person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar ($1) for the use of the Commonwealth such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River in accordance with the provisions of this act

Section 2 Section two hundred twenty-one of the act as last amended by the act approved the twenty-second day of May one thousand nine hundred fifty-three (P. L. 211) is hereby further amended to read as follows

Section 221 Non-resident and Alien Non-resident Fishing License Fees Tourist Fishing License Fees for Non-residents and Alien Non-residents A For the purposes of this article every person twelve years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a Canadian subject or citizen or a non-resident of this Commonwealth but a [citizen] resident of the United States [and in the case of naturalized foreign-born non-residents the production of such applicant's naturalization papers] shall upon the payment to the issuing agent or the Department of Revenue of the same amount as is charged and received from non-residents by the State of which the applicant is a resident or the country of which the applicant is a subject or citizen for a similar license (not however less in any case than two dollars and fifty cents ($2.50) and in the event that the license is issued by an issuing agent the payment of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as a "non-resident fishing license"

B For the purposes of this article every person twelve years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a non-resident of the Commonwealth but a [citizen] resident of the United States [and in the case of naturalized foreign-born non-residents the production of such applicant's naturalization papers] or a Canadian subject or citizen shall upon the payment to the issuing agent or the Department of Revenue of a license fee of two dollars ($2.00) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as a "tourist fishing license" which shall be valid for a period of five (5) consecutive days

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50c)

C Any person serving or who has served in the armed forces of the United States during any part of any war or the armed conflict in which the United States [is now] was engaged in Korea and who is being hospitalized or is in a convalescent camp within the Commonwealth shall be issued such license as provided in subsection A and B of this section without the payment of the said license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank and the hospital to which he is attached and a certificate from the person in charge of the hospital or other place in which such person is confined or to which he is attached

Section 3 Section two hundred forty of the act as last amended by the act approved the twentieth day of July

one thousand nine hundred fifty-three (P. L. 549) is hereby further amended to read as follows

Unnaturalized Foreign-Born [Residents] Persons

Section 240 [Unnaturalized Foreign-born Not to Fish It shall be unlawful for any unnaturalized foreign-born resident to go fishing for or capture or kill in this Commonwealth any fish of any description Provided however That the] Special Fishing Permits The Commissioner with the approval of the Board may issue not more than one hundred special fishing permits or complimentary licenses in each year to unnaturalized foreign-born persons or distinguished non-residents [Each and every person violating any provision of this section shall upon conviction thereof in the manner provided in chapter fourteen of this act be sentenced to pay a penalty of twenty dollars for each offense

Section 4 Section two hundred forty-one of the act is hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Adam,	Garlock,	Lippincott,	Sarraf,
Amarando,	Gelfand,	Lopresti,	Scarcelli,
Anderson, M. S.,	George,	Lovett,	Schuster,
Anderson, S. A.,	Goldstein,	Mahan,	Sherman,
Ashton,	Gramlich,	Markley,	Sigman,
Auker,	Greenwood,	McCann,	Smith, C. C.,
Banker,	Guss,	McGee,	Snider,
Barnatovich,	Guthrie,	McKeever,	Stank,
Bazin,	Hamilton, W. H.,	McLaughlin,	Steckel,
Bell,	Hass,	McWherter,	Stephens,
Bonner,	Haudenshield,	Meholchick,	Stevenson,
Bower,	Helm,	Mihm,	Stoner,
Breisch,	Henzel,	Mikula,	Strausser,
Brennan, A. P.,	Hewitt,	Monroe,	Stroup,
Brennan, J. J.,	Hocker,	Moody,	Swartz,
Brenninger,	Horst,	Moran,	Taylor,
Breth,	Houk,	Muldowney,	Thomas,
Brown,	Isaacs,	Munley,	Toll,
Bucchin,	Johnson,	Murphy,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Needham,	Varner,
Cianfrani,	Jump,	Ogilvie,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Wall,
Comer,	Kehler,	Pacchioli,	Wallace,
Connelly,	Keller,	Pashley,	Walsh,
Curwood,	Kent,	Paulhamus,	Wargo,
Davis,	Kline,	Petrosky,	Waterhouse,
Donahue,	Kolankiewicz,	Polaski,	Weidner,
Ehrgood,	Kooker,	Polen,	Wheeler,
Eilberg,	Kornick,	Pomeroy,	Whitenight,
Erb,	Kratz,	Price,	Willaredt,
Eshleman,	Kromer,	Pursley,	Williams,
Ewing,	Kubacki,	Readinger,	Wilt,
Farabaugh,	Lafore,	Reibman,	Wood,
Filo,	Leiby,	Reidenbach,	Worley,
Flint,	Leisey,	Renwick,	Yetter,
Flynn,	Leonard,	Rigby,	Yetzer,
Frank,	Leven,	Royer,	Ziegler,
Frost,	Light,	Rubin,	Andrews,
Gaffney,	Limper,	Rudisill,	Speaker

NAYS—0

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

BILL PASSED OVER

There being no objection

House Bill No. 1785, Printer's No. 1003

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1795 as follows:

An Act to further amend the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by increasing the investment powers of State administrative departments boards commissions or officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 subsection (14) of section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" as amended by the act approved the twenty-sixth day of August one thousand nine hundred fifty-three (P. L. 1459) is hereby further amended to read as follows

Section 1 Be it enacted &c That any administrative department board commission or officer of the State Government authorized by law to make investments of funds in the custody or under the control of such department board commission or officer excepting only the moneys in the State Sinking Fund may lawfully invest such funds in any of the following securities

* * *

(14) Other First Mortgages and Bonds Mortgages on or bonds of individuals secured by mortgages on Pennsylvania real estate and also mortgages or bonds of individuals or corporations secured by insurance of the Veterans Administration under the provisions of the Servicemen's Readjustment Act of one thousand nine hundred forty-four as amended and the Federal Housing Administration under the provisions of the Housing Administration Act approved the twenty-seventh day of June one thousand nine hundred thirty-four as amended

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Adam,	Garlock,	Lippincott,	Sarraf,
Amarando,	Gelfand,	Lopresti,	Scarcelli,
Anderson, M. S.,	George,	Lovett,	Schuster,
Anderson, S. A.,	Goldstein,	Mahan,	Sherman,
Ashton,	Gramlich,	Markley,	Sigman,
Auker,	Greenwood,	McCann,	Smith, C. C.,
Banker,	Guss,	McGee,	Snider,
Barnatovich,	Guthrie,	McKeever,	Stank,
Bazin,	Hamilton, W. H.,	McLaughlin,	Steckel,
Bell,	Hass,	McWherter,	Stephens,
Bonner,	Helm,	Meholchick,	Stevenson,
Bower,	Haudenshield,	Mihm,	Stoner,
Breisch,	Henzel,	Mikula,	Strausser,
Brennan, A. P.,	Hewitt,	Monroe,	Stroup,
Brennan, J. J.,	Hocker,	Moody,	Swartz,
Brenninger,	Horst,	Moran,	Taylor,
Breth,	Houk,	Muldowney,	Thomas,
Brown,	Isaacs,	Munley,	Toll,
Bucchin,	Johnson,	Murphy,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,

Capano,	Jones, T. H. W.,	Needham,	Varner,
Cianfrani,	Jump,	Ogilvie,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Wall,
Comer,	Kehler,	Pacchioli,	Wallace,
Connelly,	Keller,	Pashley,	Walsh,
Curwood,	Kent,	Paulhamus,	Wargo,
Davis,	Kline,	Petrosky,	Waterhouse,
Donahue,	Kolankiewicz,	Polaski,	Weidner,
Ehrgood,	Kooker,	Polen,	Wheeler,
Eilberg,	Kornick,	Pomeroy,	Whitenight,
Erb,	Kratz,	Price,	Willaredt,
Eshleman,	Kromer,	Pursley,	Williams,
Ewing,	Kubacki,	Readinger,	Wilt,
Farabaugh,	Lafore,	Reibman,	Wood,
Filo,	Leiby,	Reidenbach,	Worley,
Flint,	Leisey,	Renwick,	Yetter,
Flynn,	Leonard,	Rigby,	Yetzer,
Frank,	Leven,	Royer,	Ziegler,
Frost,	Light,	Rubin,	Andrews,
Gaffney,	Limper,	Rudisill,	Speaker

NAYS—0

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1798 as follows:

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties" as heretofore amended and supplemented authorizing the Governor of either State to veto the action of any commissioner from his State requiring express authorization by the two states for the construction or acquisition of any additional bridge or port and terminal facility and the administration operation and maintenance thereof and authorizing the Governor to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent to such supplemental compact or agreement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor is hereby authorized to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties" which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December one thousand nine hundred and thirty-four and on behalf of the State of New Jersey by its Governor on the eighteenth day of December one thousand nine hundred and thirty-four as heretofore amended and supplemented such supplemental compact or agreement to be in substantially the following form

Supplemental Agreement between the Commonwealth of Pennsylvania and the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties" as heretofore amended and supplemented by authorizing the Governor of either State to veto the action of any commission from his State requiring express authorization by the two states for the construction or acquisition of any additional bridge or port and terminal facility and the administration operation and maintenance thereof

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree each with the other as follows

(1) Article I of the compact or agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties' executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December one thousand nine hundred and thirty-four pursuant to an act of its General Assembly approved the twenty-fifth day of June one thousand nine hundred and thirty-one (P. L. 1352) as last amended by an act of said General Assembly approved the sixth day of July one thousand nine hundred and fifty-three (P. L. 369) and executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December one thousand nine hundred and thirty-four pursuant to an act of its Senate and General Assembly approved June eleventh one thousand nine hundred and thirty-four (Chapter 215 Laws of 1934 RS (1937) 32:8-1) to which compact or agreement the consent of the Congress of the United States was given by section 9 of an Act of the Congress approved August 30 1935 (Public No 411 74th Congress 49 Stat 1051 1058) as heretofore amended and supplemented be and the same is hereby supplemented as follows

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree each with the other as follows

1 Three copies of the minutes of every meeting of the Commission shall be forthwith transmitted by and under the certificate of the secretary thereof to the Governor of each State at the executive chamber at the State Capitol No action taken at such meeting by any commissioner from either State shall have force or effect for a period of ten days after the minutes shall have been so transmitted and delivered If neither Governor shall return the minutes within said ten day period any action therein recited shall have force and effect according to the wording thereof If either Governor within said ten day period returns the minutes with the veto against the action of any commissioner from his State recited therein the action of such commissioner shall be null and of no effect

II The Commission may from time to time make studies surveys and investigations to determine the necessity for and practicability of additional bridge communications over the Delaware River and port and terminal facilities

within the district and report to the Governors and the Legislatures of the two states thereon The Commission shall not proceed with the construction of any additional bridge or port and terminal facility until hereafter expressly authorized by statute of the two said states

Section 2 Upon its signature on behalf of the Commonwealth of Pennsylvania and the State of New Jersey the supplemental compact or agreement hereinabove set forth shall become binding and shall have the force and effect of an act of the General Assembly of the Commonwealth of Pennsylvania and the Delaware River Joint Toll Bridge Commission shall thereupon become vested with all the powers rights and privileges and be subject to the duties and obligations contained therein as though the same were specifically authorized and imposed by statute and the Commonwealth of Pennsylvania shall be bound by all the obligations assumed by it under such supplemental compact or agreement and the Governor shall transmit an original signed copy thereof to the Secretary of the Commonwealth for filing in his office

Section 3 The Governor is hereby authorized to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent and approval to such supplemental compact or agreement

Section 4 If any provision of this act or the application thereof to any person or circumstance is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 5 This act shall take effect immediately but the Governor shall not enter into the supplemental compact or agreement hereinabove set forth on behalf of the Commonwealth of Pennsylvania until passage by the State of New Jersey of a substantially similar act embodying the supplemental compact or agreement between the two states.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Adam,	Garlock,	Lippincott,	Sarraf,
Amarando,	Gelfand,	Lopresti,	Scarcelli,
Anderson, M. S.,	George,	Lovett,	Schuster,
Anderson, S. A.,	Goldstein,	Mahan,	Sherman,
Ashton,	Gramlich,	Markley,	Sigman,
Auker,	Greenwood,	McCann,	Smith, C. C.,
Banker,	Guss,	McGee,	Snider,
Barnatovich,	Guthrie,	McKeever,	Stank,
Bazin,	Hamilton, W. H.,	McLaughlin,	Steckel,
Bell,	Hass,	McWherter,	Stephens,
Bonner,	Haudenshield,	Meholchick,	Stevenson,
Bower,	Helm,	Mihm,	Stoner,
Breisch,	Henzel,	Mikula,	Strausser,
Brennan, A. P.,	Hewitt,	Monroe,	Stroup,
Brennan, J. J.,	Hocker,	Moody,	Swartz,
Brenninger,	Horst,	Moran,	Taylor,
Breth,	Houk,	Muldowney,	Thomas,
Brown,	Isaacs,	Munley,	Toll,
Bucchin,	Johnson,	Murphy,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Needham,	Varner,
Cianfrani,	Jump,	Ogilvie,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Wall,
Comer,	Kehler,	Pacchioli,	Wallace,
Connelly,	Keller,	Pashley,	Walsh,
Curwood,	Kent,	Paulhamus,	Wargo,
Davis,	Kline,	Petrosky,	Waterhouse,
Donahue,	Kolankiewicz,	Polaski,	Weidner,
Ehrgood,	Kooker,	Polen	Wheeler,
Eilberg,	Kornick,	Pomeroy,	Whitenight,
Erb,	Kratz,	Price,	Willaredt,
Eshleman,	Kromer,	Pursley,	Williams,
Ewing,	Kubacki,	Readinger,	Wilt,
Farabaugh,	Lafore,	Reibman,	Wood,
Filo,	Leiby,	Reidenbach,	Worley,
Flint,	Leisey,	Renwick,	Yetter,
Flynn,	Leonard,	Rigby,	Yetzer,
Frank,	Leven,	Royer,	Ziegler,
Frost,	Light,	Rubin,	Andrews,
Gaffney,	Limper,	Rudisill,	Speaker

NAYS—0

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1818 as follows:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania authorizing exemptions of parsonages manses and convents from taxation

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania is proposed in accordance with the provisions of the eighteenth article thereof

That section one article nine of the Constitution of the Commonwealth of Pennsylvania be amended to read

Section 1 All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship parsonages manses and convents places of burial not used or held for private or corporate profit and institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Adam,	Garlock,	Lippincott,	Sarraf,
Amarando,	Gelfand,	Lopresti,	Scarcelli,
Anderson, M. S.,	George,	Lovett,	Schuster,
Anderson, S. A.,	Goldstein,	Mahan,	Sherman,
Ashton,	Gramlich,	Markley,	Sigman,
Auker,	Greenwood,	McCann,	Smith, C. C.,
Banker,	Guss,	McGee,	Snider,
Barnatovich,	Guthrie,	McKeever,	Stank,
Bazin,	Hamilton, W. H.,	McLaughlin,	Steckel,
Bell,	Hass,	McWherter,	Stephens,
Bonner,	Haudenshield,	Meholchick,	Stevenson,
Bower,	Helm,	Mihm,	Stoner,
Breisch,	Henzel,	Mikula,	Strausser,
Brennan, A. P.,	Hewitt,	Monroe,	Stroup,
Brennan, J. J.,	Hocker,	Moody,	Swartz,
Brenninger,	Horst,	Moran,	Taylor,

Breth,	Houk,	Muldowney,	Thomas,
Brown,	Isaacs,	Munley,	Toll,
Bucchin,	Johnson,	Murphy,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Needham,	Varner,
Cianfrani,	Jump,	Ogilvie,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Wall,
Comer,	Kehler,	Pacchioli,	Wallace,
Connelly,	Keller,	Pashley,	Walsh,
Curwood,	Kent,	Paulhamus,	Wargo,
Davis,	Kline,	Petrosky,	Waterhouse,
Donahue,	Kolankiewicz,	Polaski,	Weidner,
Ehrgood,	Kooker,	Polen,	Wheeler,
Eilberg,	Kornick,	Pomeroy,	Whitenight,
Erb,	Kratz,	Price,	Willaredt,
Eshleman,	Kromer,	Pursley,	Williams,
Ewing,	Kubacki,	Readinger,	Wilt,
Farabaugh,	Lafore,	Reibman,	Wood,
Filo,	Leiby,	Reidenbach,	Worley,
Flint,	Leisey,	Renwick,	Yetter,
Flynn,	Leonard,	Rigby,	Yetzer,
Frank,	Leven,	Royer,	Ziegler,
Frost,	Light,	Rubin,	Andrews,
Gaffney,	Limper,	Rudisill,	Speaker

NAYS—0

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1824, Printer's No. 1031,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 121 as follows:

An Act requiring rents and royalties from oil and gas leases of Comonwealth land to be placed in a special fund to be used for conservation recreation dams and flood control authorizing the Secretary of Forests and Waters to determine the need for and location of such projects and to acquire the necessary land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All rents and royalties from oil and gas leases of any land owned by the Commonwealth except rents and royalties received from game and fish lands shall be placed in a special fund to be known as the "Oil and Gas Lease Fund" which fund shall be exclusively used for conservation recreation dams or flood control or to match any Federal grants which may be made for any of the aforementioned purposes

Section 2 It shall be within the discretion of the Secretary of Forests and Waters to determine the need for and the location of any project authorized by this act The Secretary of Forests and Waters shall have the power to acquire in the name of the Commonwealth by purchase condemnation or otherwise such lands as may be needed

Section 3 All the moneys from time to time paid into the "Oil and Gas Lease Fund" are specifically appropriated to the Department of Forests and Waters to carry out the purposes of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—158

Adam,	Gaffney,	Limper,	Rudisill,
Amarando,	Garlock,	Lippincott,	Sarraf,
Anderson, M. S.,	Gelfand,	Loprestl,	Scarcelli,
Anderson, S. A.,	George,	Lovett,	Schuster,
Ashton,	Goldstein,	Mahan,	Sherman,
Auker,	Gramlich,	Markley,	Sigman,
Banker,	Greenwood,	McCann,	Smith, C. C.,
Barnatovich,	Guss,	McGee,	Snider,
Bazin,	Guthrie,	McKeever,	Stank,
Bell,	Hamilton, W. H.,	McLaughlin,	Steckel,
Bonner,	Hass,	McWherter,	Stephens,
Bower,	Haudenshield,	Meholchick,	Stevenson,
Breisch,	Helm,	Mihm,	Stoner,
Brennan, A. P.,	Henzel,	Mikula,	Strausser,
Brennan, J. J.,	Hewitt,	Monroe,	Stroup,
Brenninger,	Hocker,	Moody,	Swartz,
Breth,	Horst,	Moran,	Taylor,
Brown,	Houk,	Muldowney,	Thomas,
Bucchin,	Isaacs,	Munley,	Toll,
Bullen,	Johnson,	Murphy,	Toomey,
Capano,	Jones, G. E.,	Musto,	Varner,
Cianfrani,	Jones, T. H. W.,	Needham,	Vaughan,
Cioffi,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	O'Neil,	Wallace,
Connelly,	Kehler,	Pacchioli,	Walsh,
Curwood,	Keller,	Pashley,	Wargo,
Davis,	Kent,	Paulhamus,	Waterhouse,
Donahue,	Kline,	Petrosky,	Weidner,
Ehrgood,	Kolankiewicz,	Polaski,	Wheeler,
Eilberg,	Kooker,	Polen,	Whitenight,
Erb,	Kornick,	Pomeroy,	Willaredt,
Eshleman,	Kratz,	Price,	Williams,
Ewing,	Kromer,	Pursley,	Wilt,
Farabaugh,	Kubacki,	Readinger,	Wood,
Filo,	Lafore,	Reibman,	Worley,
Flint,	Leiby,	Reidenbach,	Yetter,
Flynn,	Leisey,	Renwick,	Yetzer,
Frank,	Leonard,	Rigby,	Ziegler,
Frost,	Leven,	Royer,	Andrews,
	Light,	Rubin,	Speaker

NAYS—0

Tompkins,

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 179, as follows:

An Act amending the act of April 25 1929 (P L 723) entitled "An act regulating the investment of funds by

administrative departments boards commissions and officers of the State Government" increasing the investment powers of State administrative departments boards commissions or officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 act of April 25 1929 (P L 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" amended August 26 1953 (P L 1459) is amended by adding at the end thereof a new subsection to read

Section 1 Be it enacted &c That any administrative department board commission or officer of the State Government authorized by law to make investments of funds in the custody or under the control of such department board commission or officer excepting only the moneys in the State Sinking Fund may lawfully invest such funds in any of the following securities

* * * * *

(15) Bonds notes or other obligations issued assumed or guaranteed by the International Bank for Reconstruction and Development which contain an unconditional promise to pay by the International Bank for Reconstruction and Development or an unconditional guarantee by the International Bank for Reconstruction and Development of the payment of the interest thereon regularly and the principal thereof on or before a specified date in lawful currency of the United States not more than two per cent of the funds in the custody or under the control of the department board commission or officer shall be invested in such bonds notes or obligations the principal office of the obligor shall be located within the United States at the time the investment is made

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Adam,	Garlock,	Limper,	Rudisill,
Amarando,	Gelfand,	Lippincott,	Sarraf,
Anderson, M. S.,	George,	Lopresti,	Scarcelli,
Anderson, S. A.,	Goldstein,	Lovett,	Schuster,
Ashton,	Gramlich,	Mahan,	Sherman,
Auker,	Greenwood,	Markley,	Sigman,
Banker,	Guss,	McCann,	Smith, C. C.,
Barnatovich,	Guthrie,	McGee,	Snider,
Bazin,	Hamilton, W. H.,	McKeever,	Stank,
Bell,	Hass,	McLaughlin,	Steckel,
Bonner,	Haudenshield,	McWherter,	Stephens,
Bower,	Helm,	Meholchick,	Stevenson,
Breisch,	Henzel,	Mihm,	Stoner,
Brennan, A. P.,	Hewitt,	Mikula,	Strausser,
Brennan, J. J.,	Hocker,	Monroe,	Stroup,
Brenninger,	Horst,	Moody,	Swartz,
Breth,	Houk,	Moran,	Taylor,
Brown,	Isaacs,	Muldowney,	Thomas,
Bucchin,	Johnson,	Munley,	Toll,
Bullen,	Jones, G. E.,	Murphy,	Tompkins,
Capano,	Jones, T. H. W.,	Musto,	Toomey,
Cianfrani,	Jump,	Needham,	Varner,
Cioffi,	Kamyk,	Ogilvie,	Vaughan,
Comer,	Kehler,	O'Neil,	Wall,
Connelly,	Keller,	Pacchioli,	Wallace,
Curwood,	Kent,	Pashley,	Walsh,
Davis,	Kline,	Paulhamus,	Wargo,
Donahue,	Kolankiewicz,	Petrosky,	Waterhouse,
Ehrgood,	Kooker,	Polaski,	Weidner,
Eilberg,	Kornick,	Polen,	Wheeler,
Erb,	Kratz,	Pomeroy,	Whitenight,
Eshleman,	Kromer,	Price,	Willaredt,
Ewing,	Kubacki,	Pursley,	Williams,
Farabaugh,	Lafore,	Readinger,	Wilt,
Filo,	Leiby,	Reibman,	Wood,
Flint,	Leisey,	Reidenbach,	Worley,
Flynn,	Leonard,	Renwick,	Yetter,
Frank,	Leven,	Rigby,	Yetzer,
Frost,	Light,	Royer,	Ziegler,
Gaffney,		Rubin,	Andrews, Speaker

NAYS—0

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 190, as follows:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further regulating the employment of teachers who are related to members of the board of school directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1111 act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" is amended to read

Section 1111 Employment of Relatives of School Directors No teacher shall be employed by any board of school directors who is related to any member of the board as father mother brother sister husband wife son daughter stepson stepdaughter grandchild nephew niece first cousin sister-in-law brother-in-law uncle or aunt unless such teacher receives the affirmative votes of [three-fourths] a majority of all members of the board other than the member related to the applicant who shall not vote

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. I shall speak briefly on this bill, Mr. Speaker, to call it to the attention of the Members.

This is the bill which destroys the bad effects of nepotism in school boards. For many years the law provided that before a relative of a member of a board could be appointed it would require at least three-fourths of the school board to vote affirmatively.

We had a very unusual experience in Allegheny County recently, where the school district of Braddock violated this law and in my opinion this particular bill has been designed to cure this situation.

I believe there is already on the floor of the House, or about to be on the floor of the House, a bill which would legalize an illegal act for that particular board. Now, I feel that any act which eliminates the effect of nepotism is a good act, and I think the present statute is in the

public interest and that we should vote against this bill on both sides of the aisle.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—94

Adam,	Gaffney,	McKeever,	Reidenbach,
Anderson, S. A.,	Garlock,	McLaughlin,	Renwick,
Anderson, M. S.,	Gelfand,	McWherter,	Rubin,
Ashton,	Guss,	Meholchick,	Sarraf,
Barnatovich,	Helm,	Mihm,	Scarcelli,
Bazin,	Henzel,	Mikula,	Schuster,
Bell,	Hewitt,	Monroe,	Sherman,
Bonner,	Hocker,	Moody,	Sigman,
Bower,	Jones, G. E.,	Moran,	Smith, C. C.,
Brennan, A. P.,	Jones, T. H. W.,	Muldowney,	Snider,
Brennan, J. J.,	Jump,	Munley,	Stank,
Brenninger,	Kamyk,	Murphy,	Taylor,
Brown,	Kent,	Musto,	Thomas,
Bucchin,	Kolankiewicz,	Needham,	Vaughan,
Bullen,	Kornick,	O'Neil,	Wallace,
Capano,	Lafore,	Pacchioli,	Walsh,
Cianfrani,	Leonard,	Pashley,	Wargo,
Connelly,	Leven,	Petrosky,	Weidner,
Curwood,	Limper,	Polaski,	Wheeler,
Eilberg,	Lippincott,	Polen,	Willaredt,
Erb,	Lopresti,	Price,	Williams,
Filo,	Lovett,	Readinger,	Yetzer,
Flynn,	McGee,	Reibman,	Yetter,
Frost,			Ziegler,

NAYS—59

Amarando,	Greenwood,	Leisey,	Strausser,
Auker,	Guthrie,	Light,	Stroup,
Banker,	Hamilton, W. H.,	Mahan,	Swartz,
Breisch,	Hass,	Markley,	Toll,
Comer,	Haudenshield,	McCann,	Tompkins,
Davis,	Horst,	Ogilvie,	Toomey,
Donahue,	Houk,	Paulhamus,	Varner,
Ehrgood,	Isaacs,	Pomeroy,	Wall,
Eshleman,	Johnson,	Pursley,	Waterhouse,
Ewing,	Kehler,	Rigby,	Whitenight,
Farabaugh,	Keller,	Rudisill,	Wilt,
Flint,	Kline,	Steckel,	Wood,
Frank,	Kooker,	Stephens,	Worley,
George,	Kromer,	Stevenson,	Andrews,
Goldstein,	Leiby,	Stoner,	Speaker

NOT VOTING—56

Agnew,	Foster,	Magee,	Parry,
Blair,	Frascella,	Maxwell,	Pettigrew,
Boles,	Gibb,	McCormack,	Rosen,
Boory,	Gibson,	McInroy,	Rovansek,
Branca,	Gramlich,	Metz,	Royer,
Breth,	Hamilton, R. K.,	Miller,	Smith, Wm. B.,
Cioffi,	Heavey,	Mills,	Stebbins,
Cochran,	Holt,	Moscrip,	Stone,
Cooper,	Jenkins,	Mullen,	Thompson,
Donaldson,	Knecht,	Murray, H. P.,	Varallo,
Dougherty,	Kratz,	Murray, J. J.,	Verona,
Down,	Kubacki,	Murray, P. G.,	Welsh,
Fineman,	Lawyer,	Naugle,	Wescott,
Floyd,	Lutty,	Olsen,	Young,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 192 entitled:

An Act providing for and regulating the licensing and practice of practical nursing imposing duties on the State Board of Nurse Examiners and imposing penalties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COMER. Mr. Speaker, I rise to oppose Senate Bill 192. I will attempt to point out the bad features in this bill, the hardship it will cause some and how it will destroy the practical nurse program in Pennsylvania.

No. 1, it would prevent many of our practical nurses from working in hospitals.

No. 2, it would force all of our practical nurse schools out of business.

No. 3, it would allow every licensed attendant in our hospitals to exchange his present license for a practical nurse license, whether they be male or female.

For the most part in our big city hospitals these licensed attendants are men, whether they be handy men or stretcher bearers.

To return to item 1, if this type of licensing legislation should pass, there are many of our present day practical nurses who through many reasons that are no fault of their own—

The SPEAKER. Will the gentleman yield to the Majority Leader?

Mr. COMER. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, my attention was diverted when this bill was called up and I would ask the gentleman who is now debating it whether he would yield for the purpose of my requesting that it go over in order until tomorrow, at which time we will have a great deal more time to debate it and vote on it.

It is 7:20 and the gentlemen are getting hungry as well as the ladies.

Mr. COMER. I will go along on that, Mr. Speaker, on one condition—that this bill be called up tomorrow.

Mr. READINGER. Mr. Speaker, I have no intention of asking that it be deferred tomorrow.

The SPEAKER. Does the Majority Leader make a motion to put this bill on the postponed calendar?

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. READINGER. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 365, as follows:

An Act regulating the sale and possession of certain dangerous drugs in the interest of public health and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The Dangerous Drug Act of 1955"

Section 2 As used in this act

(1) "Dangerous drug" means a drug intended for use by man which

(a) Contains any quantity of barbituric acid bromal carbromal chloral aupha-eucaine beta-eucaine paraldehyde peyote of sulfonmethane or any chemical derivative thereof which derivative has been by the Secretary of Health after investigation and after consultation with and on the advice of the Advisory Health Board of the Department of Health and the respective Secretaries of State Associations representing (i) physicians (ii) pharmacists (iii) dentists (iv) veterinarians and a representative of State licensed manufacturers of dangerous drugs as herein defined and other parties in interest who have notified

in writing the Secretary of Health found to be and by regulations designated as a dangerous drug or

(b) because of its toxicity or other potentiality for harmful effect or the method of its use or the collateral measures necessary to its use is not safe for use except under the supervision of a practitioner licensed by law to administer or prescribe such drug or

(c) is limited by the Federal Food Drug and Cosmetic Act to use under the professional supervision of a practitioner licensed by law to administer or prescribe such drug but shall not include any drug the sale or dispensing of which is regulated by the Act of July 11, 1917 (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records theerof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists drugists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" as amended

(2) "Prescription" means a written order and in cases of emergency a telephone order for a dangerous drug issued by a physician dentist or veterinarian duly licensed to practice in this State in good faith in the course of his professional practice to a registered pharmacist for a dangerous drug for a particular patient which specifies the date of its issue the name and address of such physician dentist or veterinarian the name and address of the patient the name and quantity of the drug prescribed the directions for use of such drug and the signature of such physician dentist or veterinarian

Section 3 The Secretary of Health after investigation and after consultation with and on advice of the advisory health board of the Department of Health and the respective secretaries of State Associations representing (i) Physicians (ii) Pharmacists (iii) Dentists (iv) Veterinarians and a Representative of State Licensed Manufacturers of Dangerous Drugs as herein defined and other parties in interest who have notified in writing the Secretary of Health may by regulation remove drugs subjest to Section 2 (1) (a) from the prescription-dispensing requirements when such requirements are not necessary for the protection of the public health provided that such regulations shall conform unless cogent reasons require otherwise in the interest of public health as far as possible with regulations promulgated under the provisions of the Federal Food Drug and Cosmetic Act

Section 4 any physician dentist or veterinarian giving a prescription for a dangerous drug by telephone order shall confirm the telephonic prescription for the dangerous drug within seventy-two hours by giving to the pharmacist a written prescription therefor and the said pharmacist shall immediately reduce to writing said telephonic prescription

Section 5 No dangerous drug shal be sold at retail or dispensed to any person except under the prescription of a duly licensed physician dentist or veterinarian compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist nor shall any such dangerous drug be refilled on such written order or telephone order as provided for in this act unless such refilling is authorized by the prescriber either in the original written order or by the written confirmation of the original telephonic order No pharmacist shal dispense any dangerous drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the pharmacist the name and address of the patient the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the physician dentist or veterinarian prescribing it The provisions of this section shall not apply to a duly licensed physician dentist or veterinarian who keeps a record of the amount of such drugs purchased and a dispensing record showing the date name and quantity of the drug dispensed and the name and address of the patient No physician dentist or veterinarian shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the dispenser the date dispensed the name and address of the patient and the directions for the use of the drug by the patient

Section 6 No pharmacist jobber dealer in drugs or any other person shall sell or have in his possession any dangerous drug defined herein unless the container bears a label securely attached thereto stating conspicuously the specific name of the drug referred to in clause (1) of section 2 and the proportion of amount thereof Such label shall not be necessary when the drug is dispensed by a pharmacist upon a prescription or dispensed by a physician dentist or veterinarian and the container is labeled in the manner described in section 5 hereof

Section 7 The provisions of this act shall be enforced by the Department of Health of the Commonwealth of Pennsylvania and for that purpose the Secretary of Health is authorized to make such rules and regulations as may be deemed necessary for the proper enforcement of this act and to employ such assistants and employes as in the Secretary of Health's opinion may be necessary and to fix their compensation

Section 8 Any person who violates any of the provisions of this act shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than one year or a fine of not more than one thousand dollars ($1000) or both but if the violation is committed after a conviction of such person under this act has become final such person shall be subject to imprisonment for not more than three years or a fine of not more than ten thousand dollars ($10,000) or both

Section 9 The following acts and all amendments thereof are repealed

(1) The act of July 18, 1935 (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health"

(2) The act of May 12, 1939 (P. L. 133) entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health"

(3) The act of April 26, 1945 (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health"

Section 10 The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of any act of Assembly or part thereof repealed by this act

Section 11 This act shall take effect in thirty days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Adam,	**Garlock,**	**Lippincott,**	Sarraf,
Amarando,	Gelfand,	Lopresti,	Scarcelli,
Anderson, M. S.,	George,	Lovett,	**Schuster,**
Anderson, S. A.,	Goldstein,	Mahan,	Sherman,
Ashton,	Gramlich,	Markley,	Sigman,
Auker,	Greenwood,	McCann,	Smith, C. C.,
Banker,	Guss,	McGee,	**Snider,**
Barnatovich,	Guthrie,	**McKeever,**	Stank,
Bazin,	**Hamilton, W. H.,**	McLaughlin,	Steckel,
Bell,	Hass,	McWherter,	Stephens,
Bonner,	**Haudenshield,**	**Meholchick,**	**Stevenson,**
Bower,	Helm,	**Mihm,**	Stoner,
Breisch,	Henzel,	Mikula,	Strausser,
Brennan, A. P.,	Hewitt,	**Monroe,**	Stroup
Brennan, J. J.,	Hocker,	Moody,	Swartz,
Brenninger,	Horst,	Moran,	Taylor,
Breth,	Houk,	**Muldowney,**	Thomas,
Brown,	Isaacs,	Munley,	Toll,
Bucchin,	Johnson,	Murphy,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Needham,	Varner,

Cianfrani,	Jump,	Ogilvie,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Wall,
Comer,	Kehler,	Pacchioli,	Wallace,
Connelly,	Keller,	Pashley,	Walsh,
Curwood,	Kent,	Paulhamus,	Wargo,
Davis,	Kline,	Petrosky,	Waterhouse,
Donahue,	Kolankiewicz,	Polaski,	Weidner,
Ehrgood,	Kooker,	Polen,	Wheeler,
Eilberg,	Kornick,	Pomeroy,	Whitenight,
Erb,	Kratz,	Price,	Willaredt,
Eshleman,	Kromer,	Pursley,	Williams,
Ewing,	Kubacki,	Readinger,	Wilt,
Farabaugh,	Lafore,	Reibman,	Wood,
Filo,	Leiby,	Reidenbach,	Worley,
Flint,	Leisey,	Renwick,	Yetter,
Flynn,	Leonard,	Rigby,	Yetzer,
Frank,	Leven,	Royer,	Ziegler,
Frost,	Light,	Rubin,	Andrews,
Gaffney,	Limper,	Rudisill,	Speaker

NAYS—0

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Ravansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence fo the Senate is requested.

Agreeably to order,

The House proceeded to the third readnig and consideration of Senate Bill No. 366, as follows:

An Act amending the act of July 11 1917 (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and providing for the enforcement of this act and penalties" correcting the spelling of the word "cocoa" to "coca" and providing for oral prescriptions in certain cases and regulating their use

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 3 and 7 act of July 11 1917 (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the tratement of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes by providing for the enforcement of this act and penalties" amended April 12 1945 (P. L. 225) are amended to read

Section 1 Be it enacted &c That except as limited in section two of this act the word "drug" as used in this act shall be construed to include (a) Opium or (b) [cocoa] coca leaves or (c) marihuana (d) any compound or derivative of opium [cocoa] coca leaves or marihuana or (e) any substance or preparation containing opium [cocoa] coca leaves or marihuana or (f) any substance or preparation containing any compounds or derivatives of opium [cocoa] coca leaves or marihuana and any substance identified chemically as l-methyl-4-phenylipiperidine-4-carboxylic acid ethyl ester or any salt or derivative thereof by whatever trade name designated or any preparation containing such substance or its salts or derivatives

Section 3 The word "person" as used in this act shall be construed to include an individual a copartnership a corporation or an association Masculine words include the feminine or neuter The singular includes the plural [The] Except as otherwise provided by this act the word "prescription" shall be construed to designate a written order by a duly licensed physician dentist or veterinarian calling for a drug or for any substance or preparation containing a drug The word "physician" as used in this act shall be construed to include physician surgeon osteopathic physician and osteopathic surgeon

Section 7 A No registered pharmacist or bona fide owner of a pharmacy or drug store regularly engaged in the sale of drugs at retail shall sell dispense distribute or give away any of said drugs except to (a) another registered pharmacist or bona fide owner of pharmacy or drug store (b) a duly licensed physician (c) a duly licensed dentist (d) a duly licensed veterinarian (e) a bona fide hospital dispensary asylum sanatorium or public instiution (f) an individual in pursuance of a written prescription or an oral prescription subject to the requirements hereinafter set forth issued by a duly licensed physician dentist or veterinarian which prescription shall be dated as of the day on which signed and shall be signed by the physician dentist or veterinarian who issued the same (g) a person in charge of a laboratory where such drugs are used for the purpose of medical or scientific research only (h) the captain or proper officer of a ship upon which no regular physician is employed for the actual medical needs of the officers and crew of such ship only (i) a person in the employ of the United States or of this Commonwealth or of any county municipality or township thereof purchasing or receiving the same in his official capacity

B Such drugs as the Secretary of Health after considering any views expressed on the subject by the Advisory Health Board of the Department of Health and the respective secretaries of State associations representing (a) physicians (b) pharmacists (c) dentists and (d) veterinarians shall in his discretion find and by regulation designate to possess relatively little or no addiction liability may be sold dispensed distributed or given away by a registered pharmacist to an individual upon oral prescription of a duly licensed physician dentist or veterinarian which oral prescription together with the date of its communication the name and address of the prescriber and such other information as may be required by law or regulation in the case of written prescriptions shall be reduced promptly to writing by the registered pharmacist or the bona fide owner of the pharmacy or drug store and the writing filed and preserved by the registered pharmacist for a period of two years in such a way that it will be readily accessible for inspection by the proper authorities

C In issuing an oral prescription the prescriber shall furnish the pharmacist with the same information as is required by law or regulation in case of a written prescription for drugs except for the written signature of the prescriber and the registered pharmacist who fills such prescription shall be required to inscribe such information on the written record of the prescription made filed and preserved by him and shall inscribe on the label of the container of the drug the same information as is required in filling a written prescription No such oral prescription shall be refilled

D If the secretary shall subsequently determine that a drug to which the oral prescription procedure described in the preceding paragraphs has been made applicable possesses a degree of drug addiction liability that in his opinion results in abusive use of such procedure he shall

do so by regulation duly promulgated and publicized The determination shall be final and after the expiration of a period of six months from date of its promulgation and publicity the oral prescription procedure described in subsection B of this section shall cease to apply to the particular drug which is the subject of the determination

E No reigstered pharmacist or bona fide owner of a pharmacy or drug store regularly engaged in the sale of drugs at retail shall sell dispense distribute or give away any of said drugs except in pursuance of a written order signed by the person to whom such drugs are sold dispensed distributed or given or by oral prescription as provided for in this section Such order shall be preserved for a period of two years in such a way that it will be readily accessible to inspection by the proper authorities When such drugs are sold dispensed distributed or given to an individual in pursuance of a prescription [such] either written or oral as provided for in this section such written prescription or in the case of such oral prescription the written record of such oral prescription shall be regarded as the written order herein required and no further written orders shall be necessary

F Whenever a pharmacist sell or dispenses any [narcotic] drug on a prescription written or oral issued by a physician dentist or veterinarian he shall affix to the container in which such drug is sold or dispensed a label showing his own name adress and registry number or the name adress and registry number of the pharmacist for whom he is lawfully acting the name and address of the patient or if the patient is an animal the name and address of the owner of the animal and the species of the animal the name address and registry number of the physician dentiest or veterinarian by whom the prescription was written or orally given and such directions as may be stated on the prescription Whenever a physician dentist or veterinarian dispenses any [narcotic] drug to a patient there must be affixed to the container in which said drug is dispensed a label showing date his own name address and registry number the name and address of patient or if the patient is an animal the name and address of the owner of the animal and the species of the animal No person shall alter deface or remove any label so affixed

G A Person to whom or for whose use any [narcotic] drug has been prescribed sold or dispensed by a physician dentist apothecary or other person authorized under the provisions of section four of this act and the owner of any animal for which any such drug has been prescribed sold or dispensed by a veterinarian may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same

Section 2 This act shall take effect immediately.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Adam,	Garlock,	Lippincott,	Sarraf,
Amarando,	Gelfand,	Lopresti,	Scarcelli,
Anderson, M. S.,	George,	Lovett,	Schuster,
Anderson, S. A.,	Goldstein,	Mahan,	Sherman,
Ashton,	Gramlich,	Markley,	Sigman,
Auker,	Greenwood,	McCann,	Smith, C. C.,
Banker,	Guss,	McGee,	Snider,
Barnatovich,	Guthrie,	McKeever,	Stank,
Bazin,	Hamilton, W. H.,	McLaughlin,	Steckel,
Bell,	Hass,	McWherter,	Stephens,
Bonner,	Haudenshield,	Meholchick,	Stevenson,
Bower,	Helm,	Mihm,	Stoner,
Breisch,	Henzel,	Mikula,	Strausser,
Brennan, A. P.,	Hewitt,	Monroe,	Stroup,
Brennan, J. J.,	Hocker,	Moody,	Swartz,
Brenninger,	Horst,	Moran,	Taylor,
Breth,	Houk,	Muldowney,	Thomas,
Brown,	Isaacs,	Munley,	Toll,
Bucchin,	Johnson,	Murphy,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Needham,	Varner,
Cianfrani,	Jump,	Ogilvie,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Wall,
Comer,	Kehler,	Pacchioli,	Wallace,
Connelly,	Keller,	Pashley,	Walsh,
Curwood,	Kent,	Paulhamus,	Wargo,
Davis,	Kline,	Petrosky,	Waterhouse,
Donahue,	Kolankiewicz,	Polaski,	Weidner,
Ehrgood,	Kooker,	Polen,	Wheeler,
Eilberg,	Kornick,	Pomeroy,	Whitenight,
Erb,	Kratz,	Price,	Willaredt,
Eshleman,	Kromer,	Pursley,	Williams,
Ewing,	Kubacki,	Readinger,	Wilt,
Farabaugh,	Lafore,	Reibman,	Wood,
Filo,	Leiby,	Reidenbach,	Worley,
Flint,	Leisey,	Renwick,	Yetter,
Flynn,	Leonard,	Rigby,	Yetzer,
Frank,	Leven,	Royer,	Ziegler,
Frost,	Light,	Rubin,	Andrews,
Gaffney,	Limper,	Rudisill,	Speaker

NAYS—0

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, W. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 475, as follows:

An Act amending the act of August 22, 1953 (P. L. 1344) entitled "An act relating to marriage and amending revising consolidating and changing the law relating thereto" further regulating the issuance of marriage licenses when applicants are infected with syphilis

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 of the act of August 22, 1953 (P. L. 1344) known as "The Marriage Law" is amended by adding a new subsection at the end thereof to read as follows

Section 5 Restrictions on the Issue of Marriage License No license to marry shall be issued by any clerk of the orphans' court

* * *

(j) If the statement signed by the duly licensed physician of the Commonwealth of Pennsylvania or any commissioned medical officer in the United States Army or Navy or any physican of the Public Health Service of the Federal Government shows that either of the applicants for such license is infected with syphilis the said clerk shall certify the record showing the same to the Judge of the orphans' court having jurisdiction The said Judge shall notify both applicants of the existence of syphilis in either or both of the intended spouses and shall in his sound discretion determine whether it is in the best interest of both applicants to marry The said Judge shall notify the said clerk of his determination and if it is in the affirmative shall authorize said clerk to issue said license

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—144

Adam,	Gelfand,	Limper,	Scarcelli,
Amarando,	George,	Lippincott,	Schuster,
Anderson, M. S.,	Gramlich,	Lopresti,	Sherman,
Anderson, S. A.,	Greenwood,	Mahan,	Sigman,
Ashton,	Guthrie,	Markley,	Smith, C. O.,
Barnatovich,	Hamilton, W. H.,	McCann,	Snider,
Bazin,	Hass,	McGee,	Stank,
Bell,	Haudenshield,	McKeever,	Steckel,
Bonner,	Helm,	McLaughlin,	Stephens,
Bower,	Henzel,	McWherter,	Stevenson,
Breisch,	Hewitt,	Meholchick,	Stoner,
Brennan, A. P.,	Hocker,	Mihm,	Strausser,
Brennan, J. J.,	Horst,	Monroe,	Stroup,
Brenninger,	Houk,	Moran,	Swartz,
Breth,	Isaacs,	Muldowney,	Taylor,
Brown,	Johnson,	Munley,	Thomas,
Bucchin,	Jones, G. E.,	Murphy,	Toll,
Bullen,	Jones, T. H. W.,	Musto,	Tompkins,
Cianfrani,	Jump,	Needham,	Toomey,
Cioffi,	Kamyk,	Ogilvie,	Varner,
Comer,	Kehler,	O'Neil,	Vaughan,
Connelly,	Keller,	Pacchioli,	Wall,
Curwood,	Kent,	Pashley,	Wallace,
Davis,	Kline,	Paulhamus,	Walsh,
Donahue,	Kolankiewicz,	Petrosky,	Wargo,
Ehrgood,	Kooker,	Polaski,	Waterhouse,
Eilberg,	Kornick,	Polen,	Weidner,
Erb,	Kratz,	Pomeroy,	Wheeler,
Eshleman,	Kromer,	Price,	Whitenight,
Filo,	Kubacki	Readinger,	Willaredt,
Flint,	Lafore,	Reidenbach,	Williams,
Flynn,	Leiby,	Rigby,	Wood,
Frank,	Leisey,	Royer,	Yetter,
Frost,	Leonard,	Rubin,	Yetzer,
Gaffney,	Leven,	Rudisill,	Ziegler,
Garlock,	Light,	Sarraf,	Andrews, Speaker

NAYS—15

Auker,	Farabaugh,	Mikula,	Renwick,
Banker,	Goldstein,	Moody,	Wilt,
Capano,	Guss,	Pursley,	Worley,
Ewing,	Lovett,	Reibman,	

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 541, as follows:

An Act amending the act of March 31 1949 (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" authorizing the sale transfer and conveyance of property or interest therein

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of section 4 act of March 31 1949 (P L 372) known as "The General State Authority Act of one thousand nine hundred forty-nine" amended September 26 1951 (P L 1509) and January 5 1952 (P L 1829) is amended to read

Section 4 Purposes and Powers General The Authority is created for the purpose of constructing improving equipping furnishing maintaining acquiring and operating sewers sewer systems and sewage treatment works for state institutions of every kind and character (heretofore or hereafter constructed) public buildings for the use of the Commonwealth an official residence in the city of Harrisburg which shall thereafter be used as the official residence of the Governor of the Commonwealth State arsenals armories and military reserves State airports and landing fields State institutions of every kind and character (heretofore or hereafter constructed) additions and improvements to land grant colleges school buildings and the furnishings and equipment thereof for the use of the public schools State highways and bridges toll bridges tunnels and traffic circles on State highways swimming pools and lakes on State land low head dams improvements to river embankments desilting dams impounding basins flood control projects and the purchase of lands for rehabilitation purposes in connection with State institutions (any and all the foregoing being herein called "projects") Provided however That the purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted hereby (other than for the construction improvement and maintenance of bridges) shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes and the Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

* * *

(d) To acquire purchase hold and use any property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and (without limitation of the foregoing) to lease as lessee with the approval of the Governor any property real personal or mixed or any interest therein for a term not exceeding ninety-nine (99) years at a nominal rental or at such annual rental as may be determined and with the approval of the Governor to lease as lessor to the Commonwealth of Pennsylvania and any city county school district or other political subdivision or any agency department or public body of the Commonwealth or land grant college any project at any time constructed by the Authority whether wholly or partially completed and any property real personal or

mixed tangible or intangible or any interest therein at any time acquired by the Authority whether wholly or partially completed and with the approval of the Governor to sell transfer and convey to the Commonwealth of Pennsylvania any project at any time constructed by the Authority and with the approval of the Governor to sell tanrsfer and convey any property real personal ro mixed tangible or intangible or any interest therein at any tiem acquired by the Authority

* * *

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Adam,	Garlock,	Lippincott,	Sarraf,
Amarando,	Gelfand,	Lopresti,	Scarcelli,
Anderson, M. S.,	George,	Lovett,	Schuster,
Anderson, S. A.,	Goldstein,	Mahan,	Sherman,
Ashton,	Gramlich,	Markley,	Sigman,
Auker,	Greenwood,	McCann,	Smith, C. C.,
Banker,	Guss,	McGee,	Snider,
Barnatovich,	Guthrie,	McKeever,	Stank,
Bazin,	Hamilton, W. H.,	McLaughlin,	Steckel,
Bell,	Hass,	McWherter,	Stephens,
Bonner,	Haudenshield,	Meholchick,	Stevenson,
Bower,	Helm,	Mihm,	Stoner,
Breisch,	Henzel,	Mikula,	Strausser,
Brennan, A. P.,	Hewitt,	Monroe,	Stroup,
Brennan, J. J.,	Hocker,	Moody,	Swartz,
Brenninger,	Horst,	Morgan,	Taylor,
Breth,	Houk,	Muldowney,	Thomas,
Brown,	Isaacs,	Munley,	Toll,
Bucchin,	Johnson,	Murphy,	Tompkins,
Bullen,	Jones, G. E.,	Musto,	Toomey,
Capano,	Jones, T. H. W.,	Needham,	Varner,
Cianfrani,	Jump,	Ogilvie,	Vaughan,
Cioffi,	Kamyk,	O'Neil,	Wall,
Comer,	Kehler,	Pacchioli,	Wallace,
Connelly,	Keller,	Pashley,	Walsh,
Curwood,	Kent,	Paulhamus,	Wargo,
Davis,	Kline,	Petrosky,	Waterhouse,
Donahue,	Kolankiewicz,	Polaski,	Weidner,
Ehrgood,	Kooker,	Polen,	Wheeler,
Eilberg,	Kornick,	Pomeroy,	Whitenight,
Erb,	Kratz,	Price,	Willaredt,
Eshleman,	Kromer,	Pursley,	Williams,
Ewing,	Kubacki	Readinger,	Wilt,
Farabaugh,	Lafore,	Reibman,	Wood,
Filo,	Leiby,	Reidenbach,	Worley,
Flint,	Leisey,	Renwick,	Yetter,
Flynn,	Leonard,	Rigby,	Yetzer,
Frank,	Leven,	Royer,	Ziegler,
Frost,	Light,	Rubin,	Andrews,
Gaffney,	Limper,	Rudisill,	Speaker

NAYS—0

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boies,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 722, as follows:

An Act amending the act of May 1 1929 (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act confering powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof oweners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealthr liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating issuance of registration plates to newspaper newsreel or television photographers.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 501 act of May 1 1929 (P. L. 905) known as "The Vehicle Code" is amended by adding after subsection (e) a new subsection to read

Section 501 Registration Plates to be Furnished by Department

* * *

(f) Upon application of any owner residing in Pennsylvania who is regularly employed or engaged as a bona fide newspaper newsreel or television photographer or cameraman the department shall issue for any motor vehicle two registration plates of the type prescribed by this section on which shall be inscribed in addition to the registration number and other markings or identification otherwise prescribed by law the letters "PP" enclosed by a keystone shield The department shall not issue more than one set of such plates to any applicant during any registration year

The applicant shall comply with all laws pertaining to registration and licensing of motor vehicles and the application for registration prescribed by this section shall be accompanied by proof of regular employment as a bona fide newspaper newsreel or television photographer or cameraman and the sum of five ($5) dollars in addition to the fees otherwise prescribed by law for annual registration of motor vehicles.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Adam,	Gelfand,	Mahan,	Scarcelli,
Amarando,	George,	Markley,	Schuster,
Anderson, M. S.,	Goldstein,	McCann,	Sherman,
Anderson, S. A.,	Gramlich,	McGee,	Sigman,
Auker,	Guss,	McKeever,	Smith, C. C.,
Banker,	Guthrie,	McLaughlin,	Snider,
Barnatovich,	Hamilton, W. H.,	McWherter,	Stank,
Bazin,	Hass,	Meholchick,	Steckel,
Bell,	Haudenshield,	Mihm,	Stephens,
Bonner,	Helm,	Mikula,	Stevenson,

Bower,	Henzel,	Monroe,	Stoner,
Breisch	Hewitt,	Moody,	Strausser,
Brennan, A. P.,	Hocker,	Moran,	Stroup,
Brennan, J. J.,	Horst,	Muldowney,	Swartz,
Brenninger,	Houk,	Munley,	Taylor,
Breth,	Johnson,	Murphy,	Thomas,
Bucchin,	Jones, G. E.,	Musto,	Toll,
Bullen,	Jones, T. H. W.,	Needham,	Tompkins,
Capano,	Jump,	Ogilvie,	Toomey,
Cianfrani,	Kamyk,	O'Neil,	Varner,
Cioffi,	Kehler,	Pacchioli,	Vaughan,
Comer,	Keller,	Pashley,	Wall,
Connelly,	Kent,	Paulhamus,	Wallace,
Curwood,	Kline,	Petrosky,	Walsh,
Donahue,	Kolankiewicz,	Polaski,	Wargo,
Ehrgood,	Kooker,	Polen,	Waterhouse,
Eilberg,	Kornick,	Pomeroy,	Weidner,
Erb,	Kratz,	Price,	Wheeler,
Eshleman,	Kubacki,	Pursley,	Whitenight,
Ewing,	Lafore,	Readinger,	Willaredt,
Farabaugh,	Leiby,	Reibman,	Williams,
Filo,	Leisey,	Reidenbach,	Wilt,
Flint,	Leonard,	Renwick,	Wood,
Flynn,	Leven,	Rigby,	Worley,
Frank,	Light,	Royer,	Yetter,
Frost,	Limper,	Rubin,	Yetzer,
Gaffney,	Lopresti,	Rudisill,	Ziegler,
Garlock,	Lovett,	Sarraf,	Andrews, Speaker

NAYS—7

Ashton,	Davis,	Isaacs,	Lippincott,
Brown,	Greenwood,	Kromer,	

NOT VOTING—50

Agnew,	Frascella,	McInroy,	Pettigrew,
Blair,	Gibb,	Metz,	Rosen,
Boles,	Gibson,	Miller,	Rovansek,
Boory,	Hamilton, R. K.,	Mills,	Smith, Wm. B.,
Branca,	Heavey,	Moscrip,	Stebbins,
Cochran,	Holt,	Mullen,	Stone,
Cooper,	Jenkins,	Murray, H. P.,	Thompson,
Donaldson,	Knecht,	Murray, J. J.,	Varallo,
Dougherty,	Lawyer,	Murray, P. G.,	Verona,
Down,	Lutty,	Naugle,	Welsh,
Fineman,	Magee,	Olsen,	Wescott,
Floyd,	Maxwell,	Parry,	Young,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

RESOLUTION NO. 107

Mr. READINGER. Mr. Speaker, I call up resolution No. 107 on page 50 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, August 1, 1955.

There is vastly increased use of both surface and ground water for domestic industrial agricultural irrigational recreational and related purposes The continued expansion of water use may create shortages of these valuable resources There is an inevitable relationship between the utilization of waters and the utilization of other mineral resources

The act of June 22, 1937 P. L. 1897 has declared the discharge of sewage or industrial waste or any noxious and deleterious substances into the waters of this Commonwealth which is or may become inimical and injurious to the public health or to animal or aquatic life or to the uses of such waters for domestic or industrial consumption or for recreation not to be a reasonable or natural use of such waters and to be a public nuisance and against public policy

The Comonwealth recognizes a public interest in the quantity quality and utilization of these waters and a duty upon the General Assembly to insure that such waters are conserved and that their use is allotted in a fair and equitable manner therefore be it

Resolved (the Senate concurring) That the Joint State Government Commission be authorized to study the surface and ground water resources in the Commonwealth and the inter-relationships between the utilization of water resources and other mineral resources and the urban and industrial development of the Commonwealth and more particularly to determine the adequacy or inadequacy of existing laws and to ascertain what new laws if any may be necessary to properly protect these valuable resources The State Planning Board and the various administrative agencies of the Commonwealth now engaged in studies of these vital problems shall cooperate with the Commission in this study

The Commission shall report its findings at the next regular session of the General Assembly

RESOLUTION NO. 113

Mr. READINGER. Mr. Speaker, I call up resolution No. 113 on page 51 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, August 12, 1955.

A considerable number of students from foreign countries visit the United States each year to learn the customs and manner of doing things in the United States These students are particularly interested in matters relating to government

Only a few of these students come to Harrisburg or to visit the General Assembly while in session From those who do there has been many expressions of wonder and delight over the spirit of friendliness prevailing among members of the General Assembly of different parties Much good can undoubtedly result from a greater number of these students coming to Harrisburg as special guests of the House of Representatives therefore be it

Resolved That the Speaker of the House of Representatives appoint a special committee of five members of the House to keep itself advised of the names and identities and whereabouts of students of foreign countries who are visiting the United States and the time it will be possible for them to visit Harrisburg and to extend to these students the invitation of the House of Representatives to visit and witness the proceedings of a legislative session and that the committee avail itself of the cooperation of the Department of Commerce and of non-governmental agencies in obtaining information relating to visiting students of other countries

REPORTS FROM COMMITTEES

Mr. THOMAS from the Committee on Cities Counties Second and Second Class A, reported as committed, House Bill No. 491, entitled:

An Act regulating and prescribing working hours of police matrons in cities of the second class.

Mr. MUSTO from the Committee on Mines and Mining, reported as amended, House Bill No. 1754, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," changing applicability of act.

Mr. NEEDHAM from the Committee on Mines and Mining, reported as amended, House Bill No. 1849, entitled:

An Act amending the act of May 31, 1945 (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the

mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," further regulating mining operations; requiring the filing of maps; changing provisions with respect to registration, bonds, backfill, overburden, enforcement of the act and penalties; and providing for the payment of fines into a special fund.

Mr. MUSTO from the Committee on Mines and Mining, reported as committed, House Bill No. 1874, entitled:

An Act amending the act of July 15, 1897 (P. L. 287), entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth, and to provide for the examination of persons seeking employment as miners in the anthracite region, and to prevent the employment of incompetent persons as miners in anthracite coal mines, and providing penalties for a violation of the same," prescribing powers and duties of certain miners examining boards.

Mr. READINGER from the Committee on Rules, reported as committed, Senate Bill No. 837, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" increasing the amount of retirement or compensation payments to persons now retired receiving survivor annuities or State compensation under the public school employes' retirement system in conformity with provisions of amendment of Section 11 of Article 3 of the Constitution.

Mr. READINGER from the Committee on Rules, reported as committed, Senate Bill No. 838, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for minimum retirement allowances for present beneficiaries and appropriations for payment of the costs thereof in conformity with provisions of amendment of Section 11 of Article 3 of the Constitution.

Mr. READINGER from the Committee on Rules, reported as committed, Senate Bill No. 813, entitled:

An Act amending the act of October 27 one thousand nine hundred fifty-five (Act No. 222) entitled "An act prohibiting certain practices of discrimination because of race color religious creed ancestry age or national origin by employers employment agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent prejudice providing for judicial review and enforcement and imposing penalties" providing that termination of employment under a bona fide retirement or pension plan shall not constitute an unfair employment practice.

Mr. VAUGHAN from the Committee on Cities—Counties—Second and Second Class A, re-reported as committed, House Bill No. 814, entitled:

An Act amending the act of June 11, 1915 (P. L. 938) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" changing and fixing fees in counties of the second class.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. THOMAS asked and obtained unanimous consent to add additional sponsors to a bill to be reported from Committee.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 748.

An Act amending the act of June 17, 1913 (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by making said act applicable to all taxes heretofore and hereafter levied and remaining uncollected.

HOUSE BILL No. 749.

An Act amending the act of June 17, 1913 (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by allowing appeals in certain cases to be taken to the County Court of Allegheny County.

HOUSE BILL No. 985.

An Act amending the act of May 26, 1949 (P. L. 1828) enittled "An act concerning the investment powers and duties of guardians committees trustees nad other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" further prescribing the nature and kind of investments which may be made and retained by fiduciaries

HOUSE BILL No. 1144.

An Act amending the act of May 15 1933 (P. L. 796) entitled as amended "An act providing for the preservation of the records or photographic film reproductions or photographic or photostatic copies thereof of banks bank and trust companies trust companies savings banks private banks and national banking associations providing that such photographic film reproductions or photographic or photostatic copies shall be admissible in evidence

equally and with the same force and effect as the original records providing a means for the final adjustment and settlement of depositors' accounts saving certain parts of acts from repeal and imposing penalties for violations" providing further for the preservation of records and their admissibility as evidence

HOUSE BILL No. 1212.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concering boroughs and revising amending and consolidating the law relating to boroughs" authorizing the burgess of a borough to request that matters upon which the council has cast a tie or split vote be tabled until a special session of the council and to cast the deciding vote if necessary at that time

HOUSE BILL No. 1259.

An Act authorizing the commitment to the Department of Public Welfare in any city of the first class persons convicted of crimes and sentenced by courts situate within such city to a city or county penal institution where such Department has established a correctional diagnostic and classification service and authorizing the transfer of prisoners between such institutions by the Department

HOUSE BILL No. 1473.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" clarifying the taxing power of school districts of the second third and fourth classes to pay the minimum salaries and increments of the teaching and supervisory staff

HOUSE BILL No. 1512.

An Act authorizing cooperative return of parole and probation violators and the making of contracts or deputization of persons pursuant thereto

HOUSE BILL No. 1613.

An Act to further amend Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by requiring every title insurance or trust company bank and trust company or trust company to compute and pay the State tax on shares of capital stock when making reports and extending the date for making such reports.

HOUSE BILL No. 1620.

An Act amending the act of June 11 1935 (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

HOUSE BILL No. 1621.

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing collection of data concerning deceased veterans of armed conflicts authorizing the erection of monuments for and giving retirement benefits to veterans of armed conflicts

HOUSE BILL No. 1622.

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the definition of "deceased service persons" to include service personnel serving in an armed conflict

HOUSE BILL No. 1623.

An Act amending the act of May 2, 1929 (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending retirement benefits to veterans of armed conflicts

HOUSE BILL No. 1625.

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" extending civil service preference to veterans of armed conflicts

HOUSE BILL No. 1626.

An Act amending the act of May 21 1943 (P. L. 302) entitled as amended "An act providing for the admission of children to and their education and maintenance in and their discharge from the Scotland School for Veterans' Children prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Scotland School for Veterans' Children and prescribing penalties" extending its provisions to children of veterans of armed conflicts

HOUSE BILL No. 1690.

An Act amending the act of May 21, 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" extending its provisions to veterans of armed conflicts

HOUSE BILL No. 1723.

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative

departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that State policemen assigned to duty with the Pennsylvania Turnpike Commission shall not be counted against the total number of officers and men in the State Police Force.

With the information that the Senate has passed the same without amendment.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Snider, Chairman, Room 331, Thursday, December 1, at 11:00 a. m.

ELECTIONS and APPORTIONMENT, Mr. Lopresti, Chairman, Room 145, Thursday, December 1, at 11:45 a. m.

JUDICIARY, Mr. Lopresti, Chairman, Room 145, Thursday, December 1, at 10:00 a. m.

PUBLIC HEALTH and SANITATION, Mr. McGee, Chairman, Room 522, Thursday, December 1, at 12:30 p. m.

ADJOURNMENT

Mr. CURWOOD. Mr. Speaker, I move that this House do now adjourn until Thursday, December 1, 1955 at 1:00 p. m.

The motion was agreed to, and (at 7:35 p. m.) the House adjourned.

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